

METHWOLD PARISH COUNCIL

CEMETERY REGULATIONS

These Regulations are made pursuant to The Local Authorities Cemeteries Order 1977, The Local Government Act 1972 and The Local Authorities' Cemeteries (Amendment) Order 1986. They came into force on September 1st 2013 and apply to:

METHWOLD CEMETERY STOKE ROAD, METHWOLD

	Contents		
1.	Glossary	Page	1.
2.	Burials: Burial Notices	Page	2.
3.	Burial Times	Page	2.
4.	Burials – General Information	Page	2.
5.	Grave Spaces	Page	3.
6.	Transfer of Rights	Page	4.
7.	Children's Section	Page	4.
8.	Cremated Remains Section	Page	4.
9.	Memorials	Page	5.
10.	Inspection of memorials	Page	6.
11.	Flowers, Flower Receptacles & Other Adornments	Page	7.
12.	Funerals	Page	7.
13.	Miscellaneous	Page	7.
14.	Registers and Plans of Cemetery	Page	8.
15.	Offences in the Cemetery	Page	8.
16.	Contact Details	Page	8.

Glossary

Adult grave	An area not exceeding nine feet (2745mm) x four feet (1220mm)
Body	The body or cremated remains of a deceased person brought to the cemetery for burial
Burial Notice	The Notice of Burial form produced by the Council
Burial plot	The area of land, not exceeding nine feet (2745mm) by four feet (1220mm) identified on the cemetery plan in which the grave is situated.
Child's grave	A grave for children aged 12 years or under and an area not exceeding four feet six inches (1372mm) x three feet (915mm)
Coffin	A container constructed of wood or other bio-degradable material.
Council	Methwold Parish Council
Cremation plot	An area not exceeding two feet (610mm) x two feet (610mm)
Exclusive Right of Burial	The right, granted by the Council for a limited period not exceeding 100 years, to bury a body in a specified burial plot.
Extraordinary Funeral Procession	Any funeral under the control of the military services, civil authority, members organisation, or where there is the potential for damage to the fabric of the cemetery or disturbances to other visitors to the cemetery
Family	Those persons related by blood, marriage or civil partnership or the adopted children of any such relationship
Grave	A burial space, formed in the ground by excavation, without any internal wall of brickwork, stonework or other lining
Grave owner	The person who is registered with the Council as the owner of the Exclusive Right of Burial
Memorial	A headstone; tablet or cross. Kerb sets and other forms of surround are not permitted around the grave area.
Memorial owner	The person who is registered with the Council as the owner of the Exclusive Right of Burial.
Pre-viable foetus	Any foetus that requires the use of a pregnant woman's body to achieve viability
Reserved graves	A grave in respect of which an Exclusive Right of Burial therein has been granted by the Council. These grave spaces are reserved and paid for prior to burial.
Stillbirth	That defined by section 41 of the Births & Deaths Registration Act 1953 and the Still-Birth (Definition) Act 1992

Burials

2. Burial Notices

- 2.1 Application for the Exclusive Right of Burial (Form 1A "Application for the Grant of Burial Space or The Interment of Cremated Remains") should be made to the Parish Clerk (Contact details below) either directly or through a Funeral Director.

- 2.2 The application must be made to the Parish Council at least two clear working days before a burial.
- 2.3 A copy of one of the following: 'Registrar of Births and Deaths Certificate for Disposal'; the 'Coroner's Order for Burial'; the 'Registrar of Births and Deaths Certificate of Stillbirth'; the Certificate of Delivery of Pre-viable Foetus' or the 'Certificate of Cremation', as appropriate, must be given to the Parish Council representative at the burial or to the Funeral Director if a Parish Council representative is not present. The Funeral Director will forward the form to the Parish Council.

3.2 Burial Times

- 3.1 Burials may take place - between the hours of 9.00am and 3.00pm in winter / 4.00pm in summer.
- 3.2 The Council may at its discretion allow a burial at other times.
- 3.3 In an emergency or in the interests of public health, a burial may take place provided that it is sanctioned by an appropriate person such as a registered medical practitioner or a coroner. In this instance no additional fees shall be due.

4. Burials - General Information

- 4.1 The Council will allocate the location of each burial plot but the wishes of the applicant for a particular location will be met wherever possible.
- 4.2 Adult graves must not normally exceed nine feet (2745mm) x four feet (1220mm). If there is a need for the grave to exceed these dimensions the Council's permission must be sought.
- 4.3 No body or cremated human remains shall be buried in any grave for which an Exclusive Right of Burial exists except by, or with the consent in writing of, the owner of the right to the grave.
- 4.4 All graves will be dug by the Parish Council's nominated grave digger.
- 4.5 Adult graves shall be dug to a minimum initial depth of six feet six inches (2000mm) where ground conditions allow.
- 4.6 A body shall be buried in such a manner that no part of the coffin shall be less than two feet (610mm) below the surrounding ground level.
- 4.7 Where a grave is reopened for a further burial a layer of soil six inches (152mm) deep shall be left undisturbed above the existing coffin.
- 4.8 Only one body shall be buried in a grave at one time, except where:-
- 1) a mother and baby have died during child birth, in which case the mother and baby may be buried in the same coffin,
 - 2) babies that have died during multiple child birth, in which case the babies may be buried in the same coffin,
 - 3) The Parish Council has exercised its discretion to authorise some other arrangement.
- 4.9 The grave shall be backfilled immediately after any burial. Any excess spoil shall be removed to an area agreed with the Council. No coffin shall be left exposed overnight.

- 4.10 All bodies brought for burial shall be enclosed in a manner, approved by the Council, which will not cause offence to the public or endanger public health.
- 4.11 A stillbirth or pre-viable foetus shall be deemed to have been a resident of the Parish if the mother is a resident of the Parish.
- 4.12 Cremated remains may be buried in a grave for which the Exclusive Right of Burial has been purchased.
- 4.13 Cremated remains shall not be strewn over any part of the Cemetery.
- 4.14 No body or cremated remains may be buried or removed without producing to the Council the statutory documentation required by law. It will be the responsibility of the person requiring an exhumation to pay the requisite fees.
- 4.15 Flowers, flower containers & other adornments - See Section 11 (page7). The Council would like to emphasise that kerbing or other forms of surround are not permitted around the grave area.
- 4.16 The Council reserves the right, after giving seven days notice in writing to the registered address of the grave owner; to carry out any necessary work on a grave and to charge the grave owner, and to refuse to permit the opening of any grave until all sums due for such work are paid.
- 4.17 Only wooden or biodegradable coffins may be used in this cemetery.

5. Grave Spaces

- 5.1 A grave space may be “Reserved” and an “Exclusive Right of Burial” granted before someone dies. Applicants may, for example, wish to have an adjacent plot to other family members or in a particular location. The Council will do its best to meet these requests but cannot always do so, particularly if the plot has already been reserved by someone else.
- 5.2 Following a death, application for a burial space and an “Exclusive Right of Burial” can be made using form 1a “Application for Grant of Burial Space or The Interment of Cremated Remains”. It is usual in this circumstance to allocate the next burial plot in the row unless the applicant specifically requests a particular location.
- 5.3 The “Exclusive Right of Burial” conveys to the holder the exclusive right to use the plot for the purpose of burial for 100 years from the date of issue, subject to the provisions of the Local Authorities Cemeteries Order (1977) and to the Regulations then in force and those that may thereafter come into force with regard to the management and control of the cemetery.
- 5.4 Double graves: are graves where two people are to be buried in the same plot [one above the other]. If a double grave is required this must be stated clearly on the application form and the information conveyed to the Funeral Director. The fees for two people buried in a double grave are double those for a single burial.
- 5.5 In order for a second burial to take place the grave owner’s consent in writing (if it is not the owner who is to be buried) must be given before the grave is opened.
- 5.6 The applicant for burial shall be responsible at his/her own expense for the removal of any memorial and/or grave planting prior to a grave being reopened.

- 5.7 Where the grant of Exclusive Right of Burial is not available the applicant for burial shall indemnify the Council in writing against any future claim which may be brought against the Council for permitting the use of the grave.
- 5.8 The Council reserves the right at all times to take over the maintenance of the grave without giving prior notice to the grave owner, where it has been determined that the grave owner has not suitably maintained the grave.
- 5.9 The Council prohibits the cultivation or the adornment of the grave space (See clause 11.5). Grave spaces shall not be damaged, interfered with or disfigured in anyway, by whatever means howsoever caused, including the application of weed killer or such chemicals as might prevent the growth of the grass over the grave.

6. Transfer of Rights

- 6.1 The grave owner may in his/her lifetime bequeath or transfer the Exclusive Right of Burial to some other person provided that the Council is notified in writing.
- 6.2 A transfer of grant for the Exclusive Right of Burial will not be recognised by the Council until the Council records have been updated. Once the transfer has been made an Exclusive Right of Burial will be issued in the new owner's name.
- 6.3 The transfer of an Exclusive Right of Burial shall not extend the right of tenure beyond the original period which commenced when the Right was originally granted.

7 Children's Section

The Children's Section is a special area set aside for graves of children aged 12 years or under. It is located in the New Cemetery opposite the main area of graves.

- 7.1 General rules applying to the cemetery apply equally to this section. (Particular reference should be made to the headings involving burials, transfer of grants, memorials and receptacles for flowers and other adornments).

8. Cremated Remains Section

The Cremated Remains Section (Garden of Rest) is set aside for the burial of cremated remains where a full size grave is not required. This section is located at the front of the Old Cemetery near the main entrance.

- 8.1 For dimensions of memorials allowed in the Cremated Remains Section of the cemetery please refer to 9.20.
- 8.2 General rules applying to the cemetery apply equally to this section

9. Memorials

- 9.1 Memorials may only be put on a grave once an application form has been completed, the current fee paid and a permit has been issued by the Council. Memorials that the Council deem as inappropriate for the Cemetery will not be allowed. As a general guide the Council is likely to approve memorials that do not give offence to others and are in keeping with other memorials in the cemetery.
- 9.2 Erection Of Memorials - Before the memorial is to be erected a Parish Council representative will mark the position in which the memorial is to be set. Any deviation from this position may result in the memorial having to be removed and repositioned at the

owner's expense. Where family members have adjacent graves the memorial or headstone must not straddle the pathway between those graves.

- 9.3 Memorials must be placed at the head of the grave. For Regulations relating to flowers, flower containers and other adornments please see Section 11 (page 7).
- 9.4 For the first 18 months from the date of burial a temporary memorial will be permitted within the head area of the grave after which it will be removed. If at any time items become unsafe, broken or unsightly they will be removed by the Council.
- 9.5 The Council will grant a Right to Erect a Memorial or an Additional Inscription on payment of the appropriate fee. These Rights shall be for a limited period and shall not extend beyond the expiry of the Exclusive Right of Burial.
- 9.6 The Council recommends that the grave owner takes out an "all risk" insurance policy against loss or damage including public liability. The Council shall not be held responsible for the safe keeping of memorials, nor for any damage caused to a memorial by wind, storms, inclement weather, vandalism or other factors outside the control of the Council.
- 9.7 All memorials shall be secured to withstand a force of 35kg applied horizontally at the top edge of the memorial stone, in a line perpendicular to the face of the memorial such that it shall not move. Fixing shall be in accordance with the NAMM Code of Working Practice to meet this requirement.
- 9.8 The Stonemason shall provide evidence to the Council of a public liability policy in the sum of at least £1,000,000 million.
- 9.9 Any concerns about the workmanship / material of a memorial or concerning the fixing of the memorial are between the purchaser and the stonemason himself unless the Council believes a public safety issue is involved.
- 9.10 The name of the company/firm supplying and erecting the memorial may be cut in lettering not exceeding 15mm on the reverse or side of the memorial.
- 9.11 The plot number shall be cut in lettering not exceeding 30mm on the side of the memorial/headstone.
- 9.12 Design/Artwork: If it has been requested that the Memorial/Inscription has a design or artwork, please send the design/artwork with full details including design, colours etc that have been requested so this can be presented and approval granted by Methwold Parish Council before installation.
- 9.13 Erection of memorials is only permitted during working days [8.30am to 5.30pm] and shall not be undertaken on the day of a service of interment.
- 9.14 Notice of at least seven working days must be given to the Council of the intention to erect, or re-erect, a memorial and the approval must be produced, if requested.
- 9.15 A mason wishing to carry out any work whatsoever on a memorial shall inform the Council seven working days before the work is carried out.
- 9.16 Confirmation in writing shall be forwarded to the Council within forty eight hours of the erection, or re-erection, of any memorial or completion of any work notified to the Council.

- 9.17 The Council reserves the right to remove from any grave without notice any item erected without the written consent of the Council or any other item considered by the Council to be a safety hazard or which impedes access or the carrying out of maintenance. The Council will recover any costs incurred from the grave owner and will refuse to permit the opening of any grave or erection of a memorial until all costs incurred have been recovered.
- 9.18 Where an inscription or design has been cut without approval of the Council the grave owner shall cause the inscription or design to be erased, in a proper and workmanlike manner and so that the appearance of the memorial is not impaired, at his/her own expense on being ordered in writing to the registered address of the grave owner to do so by the Council. Alternatively the Council reserves the right to remove the memorial.
- 9.19 All memorials shall be maintained in a clean, tidy and safe condition at the expense of the grave owner. The Council will take action to render safe any memorial which in the Council's opinion is a danger to health and safety, and any costs incurred will be recovered from the grave owner.
- 9.20 The Council reserves the right to direct the grave owner to carry out any work to prevent encroachment of any kind on a neighbouring grave, and any costs incurred by such action will be recovered from the grave owner.
- 9.21 Subject to the provisions of these Regulations, memorials must be of a hard natural stone and of a specification and design approved by the Council. In general Methwold Parish Council will not allow anything that is out of character with this cemetery or which may give offence to others.
- 9.22 Memorials must conform to the following dimensions:-

Headstone	Maximum size 915mm x 610mm x 102mm
Garden of Rest - headstone	Maximum size 457mm x 381mm x 51mm
Garden of Rest - flat tablet	Maximum size 381mm x 381mm

10. Inspection of Memorials

- 10.1 The Council will periodically inspect all memorials. If any memorial is found to be in an unsafe condition, the Council will make it safe, which may mean laying the memorial flat or take such other remedial action to remove the danger as the Council thinks fit.
- 10.2 The Council will take all reasonable steps to contact the grave owner before taking such action.
- 10.3 Memorial owners shall be responsible for the cost of repairing or re-installing memorials which have been laid down. Whilst the Council will endeavour to notify owners of unsafe memorials, if the grave owner does not repair the memorial or fails to contact the Council about the repair within the requested time for action to be taken, then the Council may remove the memorial.
- 10.4 Memorials can only be repaired and/or re-erected after an application form has been completed, the fee paid and a permit has been issued by the Council. All repairs and /or re-erection must be in accordance with the rules in Sections 9 & 10 of these Regulations.
- 10.5 Where necessary action has been taken in regard to any unsafe memorials and the costs of repair or removal has been borne by the Council, such costs will be recovered from the

memorial owner or subsequent claimants to the Exclusive Right of Burial, should they become known to the Council.

11. Flowers, Flower Receptacles & Other Adornments

- 11.1 For burials taking place after September 1st 2013: Flower containers should be built into the headstone tablet or be freestanding receptacles, not exceeding 20cm x 20cm x 20cm, placed within the area 500mm from the face of the headstone by the width of the grave. The Council does not allow glass containers/ornaments of any type to be left on grave/memorial bases. These will be removed in line with Health and Safety regulations for staff operating in this area.
- 11.2 For burials that have taken place before September 1st 2013: Methwold Parish Council recognises that it has been the custom to place flower containers in various positions within the area of the grave. This is only acceptable while family members are regularly tending and maintaining the grave. When this ceases to be the case, the Council reserves the right to remove all receptacles, except those within the area of the headstone [defined in 11.1], to allow for easy maintenance and grass cutting.
- 11.3 Floral tributes may be removed from a grave two weeks after a burial has taken place, earlier if they become unsightly. The Council will not be responsible for anything placed on the grave.
- 11.4 All flower containers shall be maintained in a clean, tidy and safe condition at the expense of the grave owner.
- 11.5 No other adornments, cultivation including planting shrubs or trees, wooden fencing, concrete or other kerbing, photographs, windmills, raised or sunken footstones, solar lights, wind chimes, balloons, items made of pottery/tin/plastic/glass/brick or other similar items, are allowed. (See Clause 5.9).
For the first 12 months from the date of the burial temporary memorials will be permitted within the headstone area of the grave, but these will be removed after the expiration of 12 months.
The Council will carry out regular removal of all unauthorised items relating to glass/ornaments that are unsafe, broken or have become unsightly or plants not contained within the memorial area (see Clause 11.1). Items will be kept for a short period of time before being disposed off. If you place an item on a grave which subsequently has been removed as not permitted within the Cemetery regulations, contact should be made via the Council Office to ascertain if still available to be collected.
All Christmas wreathes/plants/tributes will be removed by cemetery personnel after the Christmas period, ie at the end of February, if not already removed.

12. Funerals

- 12.1 All funerals shall be conducted in accordance with all Council and statutory Regulations.
- 12.2 The Council may exclude from the cemetery any person who is causing a disturbance or acting in a manner likely to cause distress to mourners or other visitors.
- 12.3 An Extraordinary Funeral Procession may enter the cemetery only with the Council's permission.
- 12.4 Parties having charge of a military funeral or a funeral procession connected with a society or a public body are required to make such arrangements with the Council so as to ensure the protection of the cemetery from damage.

13. Miscellaneous

- 13.1 A person shall not enter or leave or seek to leave the cemetery otherwise than through one of the gates or entrances constructed and provided for that purpose.
- 13.2 Dogs must be kept on a leash at all times within the cemetery. Any dog faeces deposited in the cemetery shall be immediately removed by the dog owner.
- 13.2 a Horse riding is not permitted in the Cemetery.
- 13.3 A person shall not sell or offer for sale in the cemetery anything of any kind whatsoever without the written consent of the Council.
- 13.4 No person shall drop, throw or otherwise deposit and leave in the cemetery any litter, wastepaper or refuse of any kind except in the litter bins provided.
- 13.5 The Council may apply such conditions as it considers necessary or desirable to any consent it may grant for the placing of an item in the cemetery and reserves the right to remove any item placed in the cemetery without its express consent.
- 13.6 These Regulations are to be read in conjunction with the Local Authorities' Cemeteries Order 1977 as amended by the Local Authorities' Cemeteries (Amendment) Order 1986.

14. Registers and Plans of the Cemetery

- 14.1 Registers of all burials and plans of the cemetery will be kept by the Clerk to the Council and may be inspected free of charge by appointment.
- 14.2 A charge may be levied for the Council making searches in, and providing copies of entries in any Register.

15. Offences in the Cemetery.

- 15.1 No person in the Cemetery shall behave in a noisy, disorderly, or unseemly manner, consume alcohol, gamble, hold any picnic or barbeque, sunbathe or play any game, use improper or indecent language, trespass on any portion of the Cemetery, damage or destroy any tree, shrub, plant, headstone, monument, memorial, grave or any other property within the Cemetery, or obstruct any officer of the Council in the execution of its duty. All persons shall conduct themselves in a decent, quiet and orderly manner as of the provisions in the Local Cemeteries' Order 1977 article 18 (1).

16. Contact Details

Any questions in relation to the above cemetery rules should be addressed through the Council Clerk to the Cemetery Superintendent -

Methwold Parish Council Clerk - Mobile: 07340 162 732
The Parish Office
St Georges Hall Complex
Methwold

Email: clerk@methwold-pc.gov.uk