

Cemetery Regulations

To become effective from 1st January 2010

Updated December 2020

Introduction

We seek to observe the rights and choices of any individual wherever possible, but to be fair to all, to keep everyone safe, and to maintain our cemetery to a high standard we do need some regulations. Everyone visiting our cemetery needs to follow these regulations.

Barningham Parish Council (referred to as 'the council', or 'we' in the regulations) is legally responsible for managing and controlling the cemetery. The council authorises the Parish Clerk to act with its authority and enforce the regulations.

To comply with the relevant laws, we run the cemetery in accordance with the Local Authorities Cemeteries order 1977, as amended by the Local Authorities (Amendment) Order 1986 as well as any regulations made by the Secretary of State.

If you have any questions about these regulations please contact

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General

Opening times

1. The cemetery is open daily to visitors.

Rights of use / admission

2. We reserve the right to:
 - (i) close or limit access to the cemetery when necessary; and
 - (ii) withdraw the use of the cemetery from any person or organisation.

3. You may bring dogs into the cemeteries but they must be kept on a lead and under your control at all times.

Fees

4. With effect from 1 April 2020 the following charges have been levied by Barningham Parish Council for services in their cemetery

Adult interment	£220
Interment of child from age 1 to 12 yrs	£110
Interment of stillborn child – to age 1	£0
Further interment in plot	£110
Reservation of plot for 10 years	£110
Interment of ashes	£110
Further interment in ashes plot	£44
Placing of memorial stone	£82.50
Further inscription to memorial	£33
Transfer of Deed of Exclusive Right of Burial	£55
Scattering of ashes	£33

5. All charges will be doubled for applicants from outside the parish.
6. These fees are subject to change at the Council's discretion.
7. All fees for interments and memorials applications are payable in advance.

Exclusive Right of Burial

8. The interment and the associated Exclusive Right of Burial (ERB) in a grave for a period of 50 (fifty) years are dependent on the payment of the appropriate fee and the completion of the relevant application form, which needs the signature of the proposed owner (who then becomes the deed holder).

9. The Exclusive Right of Burial deed holder is entitled to decide who is buried in the grave and whether a memorial can be erected on it (once the relevant fee is paid and the council has given permission).
10. Our policy is to excavate graves to the maximum depth available. We will try at all times to dig the grave to a depth to accommodate two Interments. The council cannot be held responsible if, due to factors outside our control, the grave cannot hold the full number of Interments.
11. We will allocate new graves in strict rotation. We will try to meet the wishes of applicants who buy grave spaces if it is practical to do so, subject to the Council's approval and payment of the appropriate fee.
12. The council keeps plans and records of graves which visitors may view, by appointment during normal office hours.
13. When the Exclusive Right of Burial period comes to an end the buyer (or his/her heirs or successors who have become the deed holder) will have the option of renewing that right, subject to any restrictions, which may be in force at that time.
14. Deed holders will need to apply to renew the ERB within 12 months of the previous grant finishing.
15. The council may grant a renewed right of burial to another person if the ERB grant period has finished and nobody has informed us that they want to renew it. Before we do this we will, where possible, notify the previous owner (or his/her personal representative) to give them the option to renew it.
16. Where no interment has taken place in the grave, the owner of the ERB may surrender it to the council. We will pay the owner an amount, which is in proportion to the number of years remaining for the ERB. We will not make a payment if the ERB has lapsed, or finishes within ten years.
17. If the council gives permission, the owner of an ERB may transfer it to another person if he or she provides satisfactory evidence of ownership. The owner must register the transfer in the cemetery's records, have the deed of grant of Right of Burial endorsed by the council and pay the appropriate transfer fee.
18. Provided that there is sufficient room and subject to receiving consent from the Clerk cremated remains can be interred in any grave in the cemetery for which you have the Exclusive Right of Burial.

Coffins and caskets

19. To help us all respect the environment, all bodies entering the cemetery for burial must be contained in a coffin/wrapping made of a perishable material bearing the full name, age and date of death on it. Alternative coffin materials maybe considered subject to prior written agreement by the Clerk.

Interment

20. Undertakers and those arranging the burial can apply for a burial by contacting the Clerk (contact details are shown in the introduction section of this document) The service operates from 9am to 5pm, Mondays (apart from Bank Holidays) to Fridays. You must deliver a completed interment notice to the office at least two clear days before the interment (excluding Saturdays, Sundays and bank holidays).
21. The time booked for a funeral is the time the cortege is due to arrive at the cemetery. If the Funeral Director or person in charge of the funeral is later than the appointed time he or she must act under the direction of the Clerk (or his/her representative) as to when the funeral service may proceed.
22. The council will not allow a grave, covered by an Exclusive Right of Burial to be opened without the written permission of the registered owner unless the burial is to be that of the registered owner.
23. We will need to see and verify the deed before a grave is re-opened. If the deed is lost or mislaid then a statutory declaration must be made.
24. We must receive the Registrars Certificate For Disposal or Coroner's Order for burial before any burial can take place.
25. We will require a medical Practitioner, Midwife or Nurse's certificate if the interment is for a nonviable foetus.
26. The responsibility for providing enough bearers to carry the coffin from the hearse to the grave or plot (whether mourners are present or not) rests with the Funeral Director or person arranging the funeral.
27. Once we have a Notice of Interment, we reserve the right to instruct a local memorial mason to remove any existing memorial to allow the grave to be excavated. The applicant will pay the cost or removal.
28. When excavating graves we reserve the right to move memorials and to place excavated soil on nearby graves to make room for equipment. We will return the memorials to the original positions and tidy any disturbed neighbouring graves as soon as possible after the burial.

29. Only the council can authorise or employ people to prepare graves.
30. Council staff are not permitted to accept tips.
31. During a funeral (or before) we have the right to exclude those who are not mourners, or not officially connected with the funeral.

Management of memorials

32. The Stonemason will provide a form to complete if you wish to apply for permission to erect a memorial, add an inscription or carry out any other work on a memorial. The form will include:
 - name and address of the memorial mason who will carry out the work; material and measurements of the memorial;
 - details of inscription and a diagram of the proposed memorial, including fixing methods; and
 - full names and signatures of the registered grave owner/s to give permission for the work.
33. No works will be permitted until this form has been approved, in writing, by the council and the relevant fee paid.
34. You may be required to remove any work that you do, or any memorials or kerb Sets, and pay all the costs of removal, if these do not comply with the cemetery regulations.
35. At the time of purchase of the memorial you buy a Grant of Rights to Erect and maintain a memorial for an initial period of ten years.
36. When the Grants of Rights to Erect and Maintain a Memorial comes to an end the Buyer (or his/her heirs or successors who have become the deed holder) will have the option of renewing that right, subject to any restrictions, which may be in force at that time.
37. All memorials must be erected in accordance with BS8415 and the National Association of Memorial Mason's (NAMM) Code of Practice current at the time of installation. The owner of the Exclusive Right of Burial is responsible for keeping the memorial in a good and safe condition. The Council is permitted to remove any memorial that becomes unsafe or is otherwise dilapidated.
38. All memorial mason companies who work within the cemeteries must be registered with the British Register of Accredited Memorial Masons (BRAMM). Fixing teams will contain at least one mason in possession of a BRAMM fixer's licence. At all times memorial fixing teams will operate in accordance with the

BRAMM scheme and these regulations.

39. We do not permit any kerb sets

40. You may only use granite, marble, slate or other suitable material of durable and sound quality for memorials.

Barningham Lawn Cemetery

41. Barningham is a lawn cemetery and as such all graves will be grassed, as soon as practical with no mounds or kerb sets. You may install a memorial of the dimensions indicated below, on the payment of the correct fee, at the head of the grave. You may not place any other memorial or other items in or around the grave space or on the grassed area in front of the grave with the exception of the first 12" of grass in front of the memorial. The Council reserves the right to remove any memorials it considers to be inappropriate or offensive.

Memorial sizes Burial Plots

42. Headstones and memorials must not exceed 825mm (2'9") in height (above ground level); and 610mm (2') in width. The stone must be of sufficient thickness to support its height, and any reasonable force exerted upon it, to ensure its stability. The foundation must be sunk into the ground so that the top surface is flush with, or below the adjoining ground level.

43. A drilled base may accommodate:

- Up to two flower containers; or
- Up to two natural stone vases not more than 300mm (1'0") high and not more than 175mm (7") square; or
- A natural stone tablet, not more than 300mm (1'0") high, not more than 300mm (1'0") wide and not more than 50mm (2") thick; or
- Up to 2 natural, reconstituted stone figures not more than 375mm (1'3") high, provided the stone is not covered, coated in plastic, Gilded, glazed or painted

44. Any such vase tablet or figure must not extend beyond the perimeter of the base.

45. Alternatively a memorial may consist of:

- a natural stone vase not more than 300mm x 225mm x 225mm (1'0" x 9" x 9") fixed to a plinth not more than 300mm x 300mm x 50mm (1'0" x 1'0" x 2") of the same material, fixed on a concrete foundation of the same dimensions as the plinth; or
- a book or tablet not more than 300mm x 300mm x 50mm (1'0" x 1'0" x 2") fixed to

- a base not more than 450mm x 300mm x 50mm (1'6" x 1'0" x 2") of the same material, fixed on a concrete foundation of the same dimensions as the base or sufficiently wide to bridge the grave and rest on undisturbed ground. The base may be drilled to accommodate up to two flower containers or may incorporate 2 small vases or figures; or
- a flat tablet not more than 300mm x 300mm x 50mm (1'0" x 1'0" x 2") fixed to a concrete foundation of the same dimensions as the base or sufficiently wide to bridge the grave and rest on undisturbed ground.

Memorial sizes New Cremated Remains Plot

- 46. Only desk type memorials 460mm x 300mm x 50mm (18" x 12" x 4") will be permitted in the new cremated remains plot (subject to the Councils approval)

Memorial conditions

- 47. You may fix photographic plaques, of a head and shoulder shot of the deceased only, either ceramic or other material, of an approved size, if you have the Councils written approval.
- 48. The grave number must be inscribed on all memorials erected in the Cemetery, on the lower right corner of the rear of the base (or other conspicuous position as approved by the council), in characters of not less than 25mm (1") in height, to match the main inscription.
- 49. Trade names must be inscribed on any memorial in the lower left corner of the rear of the base or other location approved by the council in characters of not more than 12mm (1/2") in height, to match the main inscription.
- 50. All contractors, engaged on work in the cemetery must comply with all council directions and requirements
- 51. All materials and equipment must be conveyed in the cemetery in such a manner as to prevent damage to walks, paths, roads or turfed areas and all soil or waste material must be removed in a like manner. Mats, boards or canvas must be used, as directed by the council, to achieve this end.
- 52. Masons must notify the council of intent to work in the cemeteries at least 24 hours before arrival at the cemetery. No work will be permitted at weekends unless specifically approved by the council.
- 53. Any person removing a memorial to permit a further interment may only do so after informing the Council. Upon reinstallation of such memorials they shall be re-fixed in accordance with BS8415 and the NAMM Code of Practice, this will include the installation of new dowels between the base and headstone plate.

54. We will remove any unauthorised memorial and charge the cost to the grave owner, or their personal representative.

Memorial benches

55. The council may provide memorial benches at various locations within the cemetery. The Council reserves the right to relocate all benches on site to meet operational needs.

56. No other memorial or other items may be placed on the bench.

Maintenance

57. All floral tributes will be removed two weeks following the interment unless we are told in writing that the Family wish to arrange for their removal.

58. The council will remove Christmas wreaths from 1 February each year.

59. Temporary wooden markers are required for all interments, subject to the council's approval. If no permanent marker is erected within 2 years the council reserves the right to install a permanent marker.

60. The council reserves the right to remove (and dispose of) from any grave space, flowers, plants, floral tributes or wreaths, which have deteriorated or become unsightly