

## **OWSTON FERRY PARISH COUNCIL**

### **CEMETERY SCALE of FEES**

For residents living in the Parish of Owston Ferry boundary, with the exception of residents being cared for due to age or infirmity in a nursing home or hospital and students residing outside of the boundary

Exclusive Rights of Burial Traditional/Lawn Grave	£335.00
Exclusive Rights of Burial Cremated remains	£230.00
Exclusive Rights of Burial (Child up to 15 years)	£60.00

For people residing outside of the Parish boundary

Exclusive Rights of Burial Traditional/Lawn Grave	£670.00
Exclusive Rights of Burial Cremated remains	£460.00
Exclusive Rights of Burial (Child up to 15 years)	£60.00

All of the above Exclusive Rights of Burial are for a period of 50 years. The selection of the grave spaces is left with the Clerk except in those cases where a grave space has been previously purchased. Traditional and Cremated remain burials are within the lawned area.

#### **Interment fees**

Traditional Burial	£125.00
Cremated remains	£98.00

Monuments not to exceed 86 cm (2'10") in height and to include:

First inscription	£70.00
Each additional inscription	£45.00

Memorials for Cremated remains must not exceed 23cm (9') square With a maximum height of 30cm (1ft)	£70.00
--	--------

#### **Exhumation**

Not including re-burial	£320.00
Cremated remains	£220.00

Administration Fee (including burial record search)	£30.00
---	--------

Review due November 2025

## Administration

The "Burial authority" referred to in this document is Owston Ferry Parish Council. These rules and regulations will be applied and enforced by the Clerk.

These regulations are made under the Local Government Act 1972 & Local Authorities' Cemeteries Order 1977 as amended by Local Authorities' Cemeteries (Amendment) Order 1986 and the burial authority will review and amend these regulations as necessary.

Regulations have always existed in cemeteries and are a necessary requirement for the effective management of a burial facility and to ensure that the cemeteries are maintained for quiet contemplation.

These rules and regulations should be read in their entirety. Section headings are not exclusive and all regulations apply equally to all cemetery users.

As well as the following rules and regulations, the Local Authority Cemeteries Order 1977 applies. In particular, Clause 3(1) of this order states that:

'Subject to the provisions of this order, a burial authority may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery.'

## General conduct from visitors to the Cemetery

1. All persons are expected to conduct themselves in an orderly manner and should keep to all footpaths when not attending graves.
2. Children under the age of 12 should be accompanied by a responsible person.
3. Visitors should always deposit their dead flowers and other litter in the litter bin provided.
4. Dogs are only permitted in the cemetery if on a lead.
5. Visitors or other persons shall not interfere with any workmen employed by the burial authority and shall not employ them to execute any private work whatsoever within the cemeteries.

## Offences in the Cemetery

6. No person shall:

- (a) Wilfully create a disturbance in the cemetery;
- (b) Commit any nuisance in the cemetery;
- (c) Wilfully interfere with any burial taking place in the cemetery;
- (d) Wilfully interfere with any grave, vault, tombstone or other memorial, or any flowers or plants on any such manner;
- (e) Play any games or sport in the cemetery.

## Penalties

7. Every person who contravenes paragraphs 6 may be liable to prosecution.

## Conditions regulating burials

8. Burials normally take place Monday to Friday between the hours of 9.15am – 3.15pm. The time arranged for the burial service is the time when the cortege should be at the graveside.

9. The burial certificate or order must be received by the Clerk a minimum of 2 full working days prior to the funeral taking place. Failure to provide this document may result in delays or the cancellation of the funeral.

10. The location of each new burial plot will be allocated by the Clerk. Where a new burial plot is required (i.e. the burial will not be in an existing, purchased plot) all reasonably practicable efforts will be made to accommodate the last wishes of the deceased and the preferences of bereaved families. The final decision on the allocation and use of any new burial plot rests with the Clerk.

11. No burial will be permitted on Sundays or public holidays. Burials on Saturdays will only occur with the prior approval of the burial authority.

12. Funeral directors must arrange, where necessary, for memorials to be removed from the grave to allow graves to be reopened. The memorial shall subsequently be dealt with in accordance with the directions of the burial authority. Responsibility for any memorial removed in error will remain with the funeral director at whose expense the memorial will be reinstated to the satisfaction of the grave owner.

13. Reinstatement of headstone memorials following an interment is not permitted for a period of six months. After this time the instruction of the grave owner to the funeral director or monumental mason may be carried out.

14. All graves within the cemetery will be excavated, without exception, by authorised contractors. Graves will be excavated to the depth and size instructed by the burial authority.

15. Floral tributes that are placed on the grave after a funeral should be removed when the tributes are seen to be decaying. If these are not removed by the owner, the burial authority may arrange for them to be disposed of.

16. In certain circumstances, it may be necessary for the soil that is excavated from a grave being prepared for an interment to be laid onto an adjacent grave. The funeral director will ensure that this is for the shortest time possible and any adjacent grave affected will be protected by boards on the grave and in front of any headstone. This will only occur if the soil cannot reasonably be placed elsewhere and after the funeral any affected grave will be fully reinstated.

17. In some cases, for cultural, religious or public health reasons, there may be a request for a burial to take place at short notice. In such circumstances the burial authority will make reasonable efforts to arrange the burial within the specified period, however, as

these situations are exceptional, no guarantee can be provided. The scheduling of any funeral is always at the discretion of the burial authority.

18. All bodies must be prepared for interment before being brought to the cemetery.

19. After the coffin/container and body have been committed into the grave they shall not be removed or otherwise disturbed except for lawful exhumation by licence and or faculty or by the order of the coroner.

20. Uncoffined burials are not permitted.

### Conditions regulating funeral directors

21. All funeral directors are required to provide to the burial authority annually and also on receipt of any specific request from the burial authority, the following documentation –

1) Full risk assessments and method statement showing how work will be undertaken and what measures will be taken to minimise the risk of personal injury or damage to property. These must cover all aspects of work the funeral director is likely to undertake, including any activities within the cemetery that are associated with the funeral service (including any activities associated with funeral services based on religious beliefs) and all issues relating to vehicle access and movements within the cemetery.

2) A copy of their incident reporting mechanisms and procedures in accordance with the Reporting of Injuries Diseases and Dangerous Occurrence Regulations 1995 (RIDDOR).

3) A copy of their health and safety policy and codes of practice.

4) A copy of their Public and Employee Liability insurance with at least £5 million cover. Copies also to be provided to the burial authority upon policy renewal.

### Conditions regulating graves

22. No trees, shrubs or other vegetation of any kind should be planted on or around graves or anywhere in the cemetery. The burial authority may prune, cut down or remove any vegetation which, in the opinion of the burial authority, has become unsightly, overgrown or is interfering with graves.

23. No trees, shrubs, plants, artificial grass, windmills, lights, toys or memorabilia of any kind may be grown or placed on any grave. Any such items will be removed by the burial authority. Small items may be placed on the memorial base only

24. The marking of the grave space in the cemetery is by the use of flush markers only. Raised kerb sets and fencing of any kind are not permitted. No grave mound, kerbing, kerb sets, or fencing of any style or height is permitted. Any such additions will be removed by the burial authority.

25. The burial authority is not responsible for any items placed in the cemeteries by grave owners or cemetery visitors and may remove any such items placed in the cemetery at any time and without prior notice.

26. The burial authority may take over the maintenance of any grave where, in the opinion of the burial authority, the grave has not been suitably maintained. The burial authority will make reasonable efforts to contact the grave owner prior to carrying out works of this kind (subject to paragraph 40).

### Conditions regulating exclusive rights of burial

27. The exclusive right of burial (ERB) may be purchased for a grave. This right of burial is for a period of 50 years from the date of purchase. The purchaser is not buying the grave freehold and does not own any land. The person who has purchased the right of burial can determine who may be interred in the grave. Notwithstanding this, the burial authority will determine the total amount of burials and/or cremated remains that may be interred in each grave. No grave shall be less than 1.8m (6ft) in depth and no coffin shall be buried with less than 1.2m (4ft) of soil above its upper surface. When more than one coffin is to be interred in one grave, at least 130cm of soil must be allowed between coffins.

28. The ERB may, at the discretion of the burial authority, be renewed for a further period of time on expiry.

29. The Deed of Grant issued in relation to the purchase of an exclusive burial right is an important document and should be kept in a safe place. This grant must be presented to the Clerk by the funeral director before the grave can be opened.

30. The ERB can be transferred to another person by assignment for which a fee is payable to the burial authority. Equally it can also be bequeathed in a will. The burial authority encourages grave owners to ensure that other family members are aware of the existence of the Deed of Grant.

31. Any change of address must be notified to the burial authority in order that up-to-date records are maintained and so that the burial authority is able to contact grave owners as and when required. No responsibility can be accepted for information which does not reach a grave owner if the burial authority has not been informed about a change of address.

32. Graves for which the exclusive right of burial applies can only be opened with the written consent of the person to whom the Deed of Grant is issued, unless the interment is to be that of the deed holder, before which the exclusive Right of Burial must be updated with the new deed holder details. Until the Deed has been updated no interments will take place, excepting in the event that a Power of Attorney exists in relation to the Deed holder, in which case interments in the grave will be at the discretion of the burial authority.

33. An interment fee is payable each time a grave is reopened.

34. In the event that the owner of an exclusive right of burial wishes to return this right to the burial authority details of the process will be provided on request. No refund will be made if any burials have been made in the plot. In the event that the plot is empty a refund will be payable according to the amount of unexpired whole years remaining on the exclusive right. An administrative fee will be charged. Full details will be provided on application to the burial authority.

35. The burial authority would normally expect the Deed of Grant to be purchased by the next-of- kin or other close family member. The burial authority will refuse to allow the purchase of a Deed of Grant to a third-party if, in the opinion of the Burial authority –

- i) Such a purchase would present a third party with the opportunity to decide who could, and who could not, be buried within the cemetery.
- ii) Such a purchase would provide an opportunity for the third party to profit from the use of the grave.
- iii) Such a purchase would create a lack of clarity for future management issues, particularly the ownership of, and liability for, any memorial erected on the grave.

**Paragraphs 36 – 58 (inclusive) apply to all new memorials and any remedial works to existing memorials where such works are required due to an existing memorial failing a safety inspection (paragraph 58).**

**Paragraphs 36 – 58 (inclusive) also apply to any memorial which is removed from the cemetery for any purpose and then returned and re-erected within the cemetery. The removal of any memorial for any purpose must always be approved by the burial authority.**

36. Memorials are not permitted on un-purchased graves or anywhere in the cemetery excepting with the written permission of the burial authority and in relation to an interment within the cemetery.

37. No memorial shall be erected upon any grave, unless the exclusive right of burial has been purchased and an application for permission to erect a memorial has been made by the registered owner and approved by the burial authority.

38. Applications for permission to erect a memorial are available from monumental masons. The written application should be submitted to the burial authority accompanied by the appropriate fee and proof that the memorial is insured.

39. The full design and installation specification must be provided by the monumental mason to the burial authority in advance of any works commencing on site.

40. All memorials when completed shall remain the sole risk of the owner at all times.

41. Each memorial must be kept in good repair by the owner.

42. The burial authority reserves the right to refuse to allow the placing of an inscription upon any memorial if, in the opinion of the burial authority, it is deemed to be libellous, inaccurate or likely to cause offence to any person or body of persons.

42. Any memorial that is erected without the written approval of the burial authority is unauthorised and may be removed and stored until such time as a proper application is made and approved. A fee will be charged in respect of the removal and storage in addition to the appropriate erection fee. The burial authority will take reasonable steps to ensure the safe removal and storage of any unauthorised memorial but will not be held responsible for any damage that may occur as part of this process.

43. All monumental masons carrying out work in the cemeteries shall have at least one person on site that has been registered, or is in the process of being registered with the National Association of Monumental Masons (NAMM).
44. Memorial must not exceed 86 cm in height or 30 cm for cremated remains and must be designed and erected in full compliance with BS8415. The burial authority will not allow any person the right to construct a crypt or vault or to construct a kerbed surround in the Cemetery. This rule is made in accordance with the Local Authorities Cemeteries Order 1977 (S1 1977 No 204), paragraph 10(1).
45. All memorials under 86 cm (in height) must have a foundation at least as large as the footprint of the memorial base. The base must be fixed to the memorial using dowels or a recognised lock- down system.
46. In order to ensure that all new memorials achieve the performance standard requirements of BS8415, monumental masons should follow the BRAMM (British Register of Accredited Memorial Masons) guidelines (Blue Book) with regard to ground conditions, foundation design, joints and assembly. The burial authority may insist on corrective or remedial works if, in the opinion of the burial authority, a memorial has not been designed and/or erected in accordance with the BRAMM guidelines. Corrective or remedial works must be completed to the burial authority's satisfaction within 28 days.
47. All new memorials will be inspected following the fixing by the monumental mason to ensure that they have been securely installed and do not present a health and safety risk. If, in the opinion of the burial authority, the memorial fails this inspection, then corrective or remedial works must be completed to the burial authority's satisfaction within 28 days.
48. If there are any discrepancies between the memorial and the original application this will be notified in writing to the monumental mason and the grave owner. Any corrective or remedial works required must be completed to the burial authority's satisfaction within 28 days.
49. Whenever a new memorial fails an inspection or fails to meet the criteria detailed in these rules and regulations, the burial authority will, in accordance with the circumstances of each individual memorial, take appropriate action to remove any health and safety risks. The burial authority reserves the right to charge an administrative fee to the monumental mason or the person to whose order the memorial works were carried out, to cover any costs incurred in this process, including remedial action(s), inspections (including any subsequent re-inspections) and all correspondence.
50. The burial authority requires all monumental masons working in the cemeteries to be fully conversant with the BRAMM guidelines. Any relevant revision to these guidelines may, at the Burial authority's discretion, be applied to the design and erection of all memorials subsequent to the date of the revision. The burial authority will make reasonable efforts to inform monumental masons of such changes, but notwithstanding this it is the responsibility of monumental masons to remain fully conversant with the BRAMM guidelines.
51. The burial authority may refuse memorial applications from monumental masons who have repeatedly been responsible for memorials which have failed inspections or where, in the opinion of the burial authority, there is clear evidence of repeated poor workmanship.

52. Each memorial shall have on the side close to the base the masons name and the number of the grave and an anchor symbol to indicate when a ground anchor has been fitted.

53. Flower vases must be securely fixed to the base and form an integral part of the overall memorial.

54. All rubbish and surplus materials of any kind arising from an erection, removal, repair, alteration or cleaning of any memorial must be removed from the cemetery by the monumental mason or person who has carried out the work. Should any such material be left by persons working on memorials the cost of removal and disposal may, at the burial authority's discretion, be recharged to the monumental mason who submitted the memorial application or the person to whose order the memorial works were carried out.

55. No hewing or dressing of any memorial will be permitted in the cemetery.

56. No erection or other works to memorials will be permitted in the cemeteries at weekends or on public holidays excepting remedial works in response to health and safety issues. Any such works will be permitted at the burial authority's discretion and with formal written approval.

57. The burial authority will carry out a continuous programme of safety inspections to establish whether memorials are at risk of falling and causing damage or injury. If any memorial is found to be unsafe the burial authority has a duty to minimise the risk and will take the action which best suits the circumstances relating to the individual memorial. Action may need to be taken immediately following an inspection.

58. The burial authority will follow relevant guidelines and best-practice and will publish full details of the inspection programme and procedure. The burial authority will use its own website, local media and cemetery signage to communicate details of the programme. The burial authority will make reasonable efforts to contact grave owners, subject to paragraph 31 of these rules and regulations.