



# BARWELL CEMETERY REGULATIONS

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## 1. INTRODUCTION

Barwell Village Cemetery is provided for the benefit and use of the inhabitants of the Parish. As a result the remains of persons who were not ordinarily resident in the Parish at the date of their death may not be interred in the cemetery. However, if the deceased has recently moved away they may, at the discretion of the Parish Council, be buried in Barwell Cemetery.



The Cemetery is operated and managed under current legislation covering Burial and Cremation in England and Wales. These guidelines are a necessary requirement for the management of Barwell Village Cemetery. Every effort has been made to avoid restricting the rights and choice of the individual. Therefore, these guidelines have been prepared with a balance between individual rights and the need to regulate for safe and tidy grounds.

Visitors are welcome to the Cemetery and are requested to respect the dignity of these peaceful and tranquil places. Regulations should be observed at all times and the Council reserves the right at any time to make amendments or variations to them.

For enquiries regarding the regulations, please contact the Cemetery Officer at the following office:

Barwell Parish Council  
10 High Street  
Barwell  
Leicestershire  
LE9 8DQ

Telephone: 01455844229  
Email: [info@barwell-pc.org.uk](mailto:info@barwell-pc.org.uk)  
[www.barwell-pc.org.uk](http://www.barwell-pc.org.uk)

The Parish Office is open for public business

Monday 10.30am - 12.30 pm

Tuesday, Wednesday, Thursday 9.30am - 1.30pm

Friday 10.30am - 12.30 pm

The office is closed on specific holidays which include Easter, Christmas, New Year etc.

## 2. INTERPRETATION

“The Council” means Barwell Parish Council acting as the Burial Authority for the said Council in exercise of the powers and duties conferred upon them by the Local Government Act 1972, Article 3 of the Local Authorities’ Cemeteries Order 1977, and of all other powers and duties regarding the general management, regulation and control of the cemeteries provided by them.

“**The Cemetery**” means the Cemetery under the control of the said Parish Council and situated at Barwell Cemetery, Kirkby Road, Barwell.

“**The Burial Registrar**” means the Parish Clerk being appointed by the Parish Council to be in charge of the Cemetery and to act as Registrar thereof

“**Purchased Graves**” means any earthen grave, where the Exclusive Right of Burial (subject to these Regulations) has been granted by the Council

“**Memorials**” means all memorials that are authorised to be permitted within the cemetery

## 3. MANAGEMENT OF THE CEMETERY

### Admission to the Cemetery

The Cemetery is open to visitors:-

Month	Weekdays / Weekend Public Holidays
November — March	8.00am to 4.00pm (Friday 3.00pm) Weekends/Bank Holidays (handgate only) 9.00am - 4.00pm
April — October	8.00am to 5.00pm Weekends/Bank Holidays (handgate only) 9.00am - 7.00pm

The Cemetery is locked each evening after the times stated. All persons visiting the cemetery must vacate the cemeteries prior to these times in order to secure the cemetery. It may be necessary at times to lock the gates earlier than stated, due to circumstances beyond our control. If this is necessary appropriate notices will be displayed advising visitors of this.

The Council reserves the right to temporarily close to the public access to the cemeteries or any part of a cemetery at any time without notice.

All persons entering the cemeteries will be subject to these rules and regulations approved by the Council

The Council reserves the right to exclude from the cemeteries for such period as the Council determines any person offending against these regulations

Children are permitted in the cemeteries but should do so under the care and supervision of an adult.

Admission of vehicles is subject to the following conditions:

- Access is available during opening hours
- Access is subject to absolute right of way being given to any funeral cortege
- No vehicle is to be left in a position so as to cause an obstruction to other traffic
- A speed 5 miles per hour is not exceeded

### **Only Guide Dogs are allowed in the cemetery.**

To the extent permitted by law no liability is accepted by the Council for loss or damage to a vehicle or its content, or injury to its drivers or passengers however arising.

### **Conduct of visitors**

All persons shall conduct themselves in a decent, quiet and orderly manner and are reminded of the provisions of Articles 18(1) of The Local Authorities' Cemeteries Order 1977. These state that no person shall:

- Wilfully create any disturbance in a cemetery
- Commit any nuisance in a cemetery
- Wilfully interfere with any burial taking place in a cemetery
- Wilfully interfere with any grave, walled grave or vault, any tombstone or other memorial, or any flowers or plants or any such matter; or
- Play at any game or sport in a cemetery

The permission of the Burial Registrar shall be obtained before any object in a Cemetery is photographed or a video recording is commenced.

Musical instruments or appropriate sound reproducing equipment shall be permitted in the Cemetery with the permission of the Burials Registrar.

Visitors shall not interfere with Parish Council employees working in the cemetery, nor employ them to execute any private work whatsoever.

Visitors are requested to deposit litter, spent flowers or any other unwanted items in the bins provided.

No persons shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit orders for the same, within the cemeteries.

All enquiries, complaints and requests by members of the public should be made to the Burial Registrar.

All visitors must refrain from interfering with trees, shrubs and flowers.

Fees and charges for all cemetery services will be determined by the Council in accordance with the powers derived under Article 15 (1) of the Local Authorities' Cemeteries Order 1977. They are normally reviewed annually and increments applied accordingly.

## **Records**

All registers, records and plans of the cemetery are held in the cemetery office and can be inspected during normal working hours, and are subject to charges for copies thereof.

## **Offences**

In accordance with Article 19 of Local Authorities Cemeteries Order 1977 it is an offence to:

- Wilfully create any disturbance in a cemetery.
- Commit any nuisance in a cemetery.
- Wilfully interfere with any burial taking place in a cemetery.
- Wilfully interfere with any grave, vault, tombstone or other memorial, or any plants or flowers.
- Play at any game or sport in a cemetery.

## **Complaints**

Any complaints as to the incivility or inattention on the part of any member of the Cemetery staff or to any aspect of the service should be made in writing to the Burial Registrar.

## **Alterations to the regulations**

The Council reserves the right from time to time to make alterations or additions to the foregoing Regulations consistent with Burial Acts. Questions arising for which no provision is made in the Regulations shall be referred to the Council (or any Committee or Officer of The Council to which the Council has delegated its powers on this behalf) whose decision shall be final.

## **Revocation**

All other regulations for cemeteries made by the Council prior to 1st October 2012 are hereby revoked.

## **4. INTERMENTS**

### **Booking of Interments**

All Interment requests must be made on the Notice of Interment form supplied by the Parish Council. The details provided on the form must be clear and complete.

**The Notice of Interment must be delivered to the office at least three working days (72 hours) prior to the time the burial is due to take place.** This notice must exclude the day of interment and exclude Saturday, Sunday and specified holidays which include Good Friday, Christmas Day, Easter, Spring etc.

No burial shall take place, no cremated remains shall be scattered and no monument or memorial shall be placed in the Cemetery nor shall any additional inscription be made on a memorial without the prior consent of the Parish Council.

Unless an 'Exclusive Right to Bury' in a particular grave exists, a 'Purchase of Grave Space' form must be completed and the appropriate fee paid to Barwell Parish Council.

An Exclusive Right to Bury in a particular grave space may be purchased for future use, perhaps to ensure that a grave space is always available close to that of a loved one. Some restrictions may apply for effective cemetery management.

A list of fees and charges relating to burials is enclosed hereto.

All notice of interments shall be given in writing and signed by the owner of the Exclusive Right of Burial. If burying the owner of the Exclusive Right of Burial, then a near relative or the person legally responsible for the fees for the burial of the deceased may sign, on the prescribed form supplied for the purpose.

If unsure concerning ownership of the Exclusive Rights of Burial, please consult the Parish Office in the first instance.



## **Hours of interments**

Interments can take place during the following hours:

Monday to Thursday 9.30am to 4.00pm April to October

Monday to Thursday 10.00am to 2.00pm November to March

Interments will be allowed on Fridays by request.

Interments will be allowed on a **Saturday but will incur double fees.**

**Interments will NOT be allowed on Sunday, Christmas Day, Good Friday or Public Holidays.**

In cases of emergency where the burial must take place on one of these days documentation must be produced to confirm that the immediate burial is necessary.

## **Certificates of disposal**

The Certificate for the Disposal issued by the Registrar of Births and Deaths or in any case where a Coroner's inquest has been held, a Coroner's Order for Burial or a duplicate thereof must be delivered to the Burial Registrar by 09.30 the previous working day prior to the time of the funeral. In the case of a stillborn child the above applies if the birth does not come within the definition of "Stillborn" or "Stillbirth" as mentioned in the Stillbirth (Definition) Act 1992. If within the definitions of the Stillbirth (Definitions) Act 1992, a certificate from a Medical Practitioner or other responsible person attendant at the birth, stating that it took place before the twenty fourth week of pregnancy, must be produced. Before the interment of cremated remains of any person, a certificate must be produced from the appropriate officer of the Crematorium which carried out Cremation.

## **Ministers and Clergymen**

A burial can take place with or without a Religious Service. It is the responsibility of the funeral director or bereaved family to arrange for a Minister or other persons authorised to officiate at the burial.

## **Alteration to funeral arrangements**

When a Notice of Interment has been accepted no alteration will be permitted except in regard of time of the burial. **In this case written notice must be provided no later than 1 working day (24 hours) before the interment is due to take place.**

The Parish Council will not be responsible for any misunderstandings, which may arise as a result of a telephone instruction only. Any requests, which have been made on the telephone, must be immediately confirmed in writing. Any additional expense incurred by the Parish Council as a result of incorrect information having been supplied will be charged to the person making the application.

## **5. COFFINS AND CASKETS**

No interment will be permitted unless the body of the deceased person is fully enclosed in a traditional wooden coffin or ecologically friendly coffin or casket considered suitable by the Burial Registrar. Under no circumstances will the Interment of metal or metal lined coffins be allowed in any purchased earthen grave.

The coffin/casket size must be confirmed in writing. The size must be exact and include mouldings and any open handles. Any alteration to these sizes must be notified to the Parish Council Office by 09.30 the previous working day prior to the time of the funeral. Every coffin or casket must have attached some permanent form of identification marker bearing the name of the deceased and their date of death. Each individual body, whether an adult or child, must be brought to the cemetery in a separate coffin, except where:

- (a) a mother has died in childbirth, in which case both the mother and child may be interred in the same coffin; or
- (b) twins or multiple twins have died in childbirth, in which case the children may be interred in the same coffin, or
- (c) the Burial Registrar has exercised his/her discretion to authorise some other arrangement.

The Burial Registrar shall be informed by the person giving notice if the deceased suffered from or died of an infectious or notifiable disease or was exposed to radiation. No Funeral Director or other person shall be permitted to remove coffin lids from any coffin at any interment within the cemetery on any pretence whatever. All treatment, washing or dressing of bodies must be undertaken prior to arrival at the cemetery.

Cremated remains must be contained in a casket or urn for burial within the cemetery fully identified with the name of deceased.

A Register of all burials shall be kept by the Registrar of Burials at the Parish Council office, where searches may be made during office hours and certified extracts or certificates obtained on payment of the prescribed fees.

## 6. GRAVES

### Capacity of grave plots

- i. For a grave intended for the burial of two bodies - a maximum of two (2) further cremated remain caskets are allowed at full depth burial;
- ii. For a grave intended for the burial of one body - a maximum of two (2) cremated remain caskets are allowed at full depth burial;
- iii. Four (4) Cremated remains interments may take place in a Lawn grave at casket depth as no further coffined burials can take place;
- iv. Each cremated remains plot contains sufficient space for two caskets, although some caskets may need the handles removed as the internal size of each liner is a maximum of 9 ins x 11 ins (229mm x 280mm)

There is a charge each time for opening the grave, to cover administration and subsequent ground maintenance to the plot.

**Requests for interment of ashes caskets into earthen plots in addition to the burial of bodies MUST be notified to the Burial Registrar prior to the purchase of the "Exclusive Right of Burial" as the grave will be dug to the depth required by the purchaser and in no case will a grave be allowed to be deepened after the first interment.**

### Excavation of graves

- It is not normally possible to reserve a plot specifically by its number, as a logical progression of plot use is needed to run the burial ground efficiently.
- The Garden of Remembrance Ashes section is prepared by persons employed by the Council
- All lawn graves are prepared by the Parish Council
- Every grave shall be dug central to the allocated grave space.
- All new graves shall be excavated at 1.83m (6') subject to ground conditions allowing for two burials to take place in each grave space.
- Re-opened graves will be excavated at 1.37 (4'6"), children's graves shall be excavated at 1.20m (3'11") and cremated remains plots at 0.30m (12")

### Re-opening of graves

- Graves may be re-opened for further interments subject to space being available.
- A person shall not in the burial ground cause a body to be buried in a grave in such a manner that any part of the coffin is at a depth less than 1.06m (3'6") below the level of the surface of the ground adjoining the grave.

- The coffins in the grave must be separated by means of a layer of earth not less than 152mm (6”) in thickness
- When a grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove there from any soil, which is offensive.

## **Exhumation**

No body or cremated remains may be removed from a grave without the written and signed consent of the registered owner of the Exclusive Right of Burial for that grave, together with all statutory documentation.

No body or cremated remains may be removed from a grave/below ground vault without the following conditions: To exhume human remains, from Barwell Parish Cemetery you must first apply for Secretary of State’s Licence.

<https://www.gov.uk/apply-for-an-exhumation-licence>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/326818/application-exhumation-licence.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/326818/application-exhumation-licence.pdf)

## **Obtaining a Secretary of State’s Licence**

You can apply for a Secretary of State’s Licence from: The Ministry of Justice, Coroners and Burials Division, 4.38 4th Floor 102 Petty France, London SW1H 9AJ. Telephone 0203 334 3555. Email: coroners@justice.gsi.gov.uk

## **7. MAINTENANCE OF GRAVES**

Nothing may be placed on the area of the grave except as provided in these regulations and, on the day of the funeral, when flowers and wreaths may be placed upon the grave in which burial takes place. Funeral tributes may remain there for 28 days after which they will be removed at the discretion of the Cemetery Sexton. All dead flowers and wreathes, garden refuse or litter must be conveyed to the nearest recycling bin. Council employees will remove Christmas wreaths that remain on graves after the 31st January. As soon as convenient after the interment the Council will sow grass seeds or lay turf over the whole area of the grave.

Items of pottery, tin, plastic or glass, bricks, blocks, stone chippings, wire mesh or plastic fences or any other object or materials which are fragile, easily breakable or which generate noise, post a safety hazard or to impede access or maintenance will be removed by the Council without notice. Articles are placed solely at the owner’s risk. The Cemetery Sexton shall be at liberty to remove from graves any moveable article that shall be broken or have become unsightly. The Council reserve the right to remove prohibited articles, deteriorated or withered wreaths and flowers without notice.

## 8. SCATTERING OF CREMATED REMAINS

Subject to the approval of the Parish Council, ashes, including those of non-Barwell residents can be scattered within The Garden of Remembrance. The scattering of ashes in this area does not convey any Exclusive Right of Burial.

**No vases, ornaments, figures or other additional to this area are permitted.**

## 9. EXCLUSIVE RIGHT OF BURIAL

### What is an Exclusive Right of Burial?

The Exclusive Right of Burial entitles the registered owner:

- to be interred in a grave subject to space being available in the grave.
- to determine who is buried in the grave and
- to apply for the Right to erect a memorial on the grave, in accordance with regulations.

**If resident outside the Parish of Barwell, then double fees will apply. Except if the deceased had lived within the area for at least 25 years, but who lived outside the area for health care or welfare reasons for no longer than five years immediately prior to death.**

The Parish Council will not be held responsible if due to factors outside its control the full number of interments cannot be achieved. No body shall be buried or cremated remains interred in any grave in which the Exclusive Right of Burial for the time being subsists, except with the consent in writing of the owner of that right.

Upon payment of the appropriate fee, the purchaser of the Exclusive Right of Burial in any grave space shall be furnished with a Deed thereof, and the particulars thereof shall be entered in the registry to be kept for that purpose. The Deed will stipulate the full name of the owner and the terms on which the certificate has been issued.

Our policy is that there is no charge for the burial of still born child and children up to 18 years of age. The purchase of exclusive rights of burial is necessary however for all age groups to permit the installation of a memorial.

### When can the Exclusive Right of Burial be purchased?

- The Exclusive Right of Burial may be purchased in advance of an interments taking place to reserve a grave space subject to availability.
- The Exclusive Right of Burial in a grave may be purchased at the time of interment.

## **Period of Exclusive Right of Burial**

The Parish Council will grant on such terms and subject to such conditions as they think proper and upon payment of the appropriate fee or fees of any person aged eighteen years or over, for a period of **Seventy years**, the **Exclusive Right of Burial** in any grave space or grave.

**It may not be sold or used for any person, other than by members of the holder's immediate family (e.g. parent, spouse/partner, brother, sister or child).**

The full name and address of the person to be registered as the owner thereof shall be supplied.

- (a) The right of burial shall be exercisable only for a period of seventy years from the date of purchase. At the expiry of the fixed period for which the right has been granted, the Council will offer an opportunity to repurchase the right for a further 30 years. The Council will service notice of determination on those graves where the grave does not appear to be maintained, where the right has been exercised within a period of 5 years. The right will then cease and all rights relating to the grave in question, and in relation to any memorial erected thereon, revert to the Council.
- (b) During the period of the Exclusive Right of Burial the registered owner will have the right to erect upon the specified grave a memorial that complies in all respects, including any inscription thereon, with the requirements of these regulations.

For every opening of a private grave the certificate of ownership or any assignment thereof and the written consent of the owner must also be produced and given to the Burial Registrar on giving notice of burial. If the burial is to be that of the registered owner, written permission to open the grave will not be required, only production of the grant together with all other relevant documentation. The name of the deceased as shown on the Registrar's Certificate for Disposal must be exactly the same as the name on the Grant of Exclusive Right of Burial. The Council reserves the right to require, in appropriate cases, an indemnity from the person applying for interment of a deceased registered owner if, in the opinion of the Burial Registrar, the documentation produce in support of the application is inadequate.

## **Transferring the Exclusive Right of Burial**

This can take place on production of any of the following relevant original documentation at the Parish Council office:

- (a) **Grant of Probate:** Normally granted to the executor(s) appointed in the will of the deceased person once the will has been proven in court. Only the original "sealed" Grant will be acceptable at the Parish Council office i.e. it must bear the embossed seal of the Court.

- (b) **Grant of Letters of Administration:** When a deceased dies intestate (i.e. without making a valid will) then the next of kin (or some other person of sufficient interest) can apply to the Court to be made Administrator of the Estate. As with Grant of Probate the original document must be produced bearing the embossed seal of the Court.
- (c) **Form of Assent:** Normally completed by the deceased's personal representative or other holder of either the Grant of Probate or Letters of Administration when it is necessary to transfer the ownership of the grave to a family member on closure of the deceased's estate.
- (d) **Statutory Declaration:** An original document to be completed and witnessed by a Magistrate or Commissioner of Oaths. Normally used where no other official documents have been issued or applied for.

### **Buy back of Exclusive Right of Burial**

Where no interment has taken place in the grave, the owner of the Right of Burial may surrender the same to the Council in return for a payment not exceeding the original purchase price. An administration fee is also payable to the Council, on such instances. No refund will be made where the Exclusive Right period has lapsed.

## **10. PURCHASED GRAVES**

All memorials shall be kept in repair at the expense of the registered grave owner. In the event of any memorial falling into disrepair and the necessary repairs not being carried out within six months after notice from the Council, the memorial may be removed by the Council subject and in accordance with the provisions of Schedule 3 to the Local Authorities' Cemeteries Order 1977.

The Burial Registrar shall make reasonable efforts to communicate with the grave owner by giving written notice by post to the owner when repairs are needed. The Burial Authority can accept no responsibility for damage to memorials, and owners are advised to seek adequate insurance cover.

The area of the grave may not be interfered with by the owner of the grave or any persons on his/her behalf otherwise than in accordance with these regulations. Graves will be allocated by the Council in accordance with the sequence marked on the cemeteries plans. The site allocated will be the next available vacant site at the date when the first interment takes place in that grave.

- All adult grave spaces are 8' x 5' (2440mm x 1524mm)
- All cremated remains plots measure 3' m mx 3' (914mm x 914mm)
- **The grave will be dug to the depth required by the purchaser and in no case will a grave be allowed to be deepened after the first interment**

The purchase of and interment in a grave space will be conditional upon the acceptance by the purchaser of the specification relating to memorials and the regulations governing their erection.

Residents shall include a person who at the time of purchasing a grave was a resident within Barwell. The purchaser or owner of the Exclusive Right of Burial, shall if that Right was purchased whilst a resident of the Parish, be entitled to have interred in any grave to which that right exists, the body of members of the purchaser's immediate family (e.g. parent, spouse/partner, brother, sister or child, and shall include stepfamily members).

If exceptionally the deceased lived in the Parish for the majority of their life but took up residence outside the Parish boundary to receive full time care, resident status will be granted. Resident status may be granted to other persons at the discretion of the Council.

## **11. ERECTING OF MEMORIALS**

A memorial may only be erected on a grave space within the Council's cemetery in accordance with the regulations in force at the time of application.

### **Who can apply for the Right to Erect a Memorial?**

Memorials may only be erected over graves in respect of which the Exclusive Right of Burial has been produced. The right to erect a memorial rests with the Exclusive Right deed holder and will be for the term of the memorial deed. No work must be carried out before the Council has granted permission and the appropriate fee paid. **It is an offence to wilfully interfere with a memorial or to cut additional inscriptions on a memorial without the Council's authority.**

The period of Right to Erect a Memorial shall not exceed the period of exclusive right of burial.

### **Applying to erect a memorial**

Those wishing to erect a memorial should apply to the Council on the '**Right to Erect a Memorial Form**' supplied by the Parish Council. The details provided on the form must be clear and completed with detailed design (including a photograph and the appropriate fee), prior to commissioning. Vases and tablets are allowed subject to the necessary approval.

### **Approval of memorial applications**

An application for the right to erect a memorial will be confirmed by a deed of grant to the applicant and the issue of a Memorial permit. Memorial permits can only be issued to Memorial Masons registered by the Council or Members of the British Register of Accredited Memorial Masons and any memorial work undertaken must fully comply with the terms and conditions specified in the registration scheme and each memorial erected or re-erected guaranteed in respect of safety and stability including faulty workmanship during the specified period. A memorial can only be erected on the condition that it may be periodically inspected by the Council and must be found to be safe. Any necessary repairs required must be carried out by a Memorial Mason as above. If this is not undertaken, the Council reserves the right to remove the memorial and terminate the right.



No memorial will be allowed to be fixed upon any grave without the written authority of the Owner, nor shall any lettering or cleaning be permitted without such authority being first delivered to the Burials Registrar. Memorials will be admitted into the Cemetery provided all fees have been paid. The Council reserves the right to remove a memorial if for any reason the prescribed fees have not been paid. The grave owner will be advised sensitively of their responsibilities.

The Memorial Mason will receive a permit notice allowing for him to carry out the work. No masons, letter cutters or other work people engaged in fixing, delivering, painting or repairing memorials will be admitted to the cemetery on Saturdays, Sundays, Christmas Day, Good Friday and public or local fixed holidays, or on any other day before 09.00 and no later than the official closing time.

## **Memorials General**

All Mason's employed on behalf of the owner of the Exclusive Right of Burial must be registered to the councils Memorial Masons Registration Scheme. All registered masons must adhere to the scheme without deviation and carry out their work strictly under the direction of the council and shall:

- (a) Comply with all reasonable directions and requirements of the Cemetery Staff at the cost of the owner to fill up and level the ground, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of work to the satisfaction of the Cemetery Sexton;
- (b) Provide their own tools and equipment and continue any work in connection with any memorial with due diligence until fully complete

The position for headstones, monuments and memorials shall be subject to the approval of the Cemetery Sexton and fixed on landing provided and in alignment with adjacent memorials.

All headstones, monuments or memorials shall be completely worked before they are admitted to the Cemetery. No hewing, sawing, dressing of memorials will be permitted within the Cemetery except the cutting of an inscription which cannot be made prior to the erection of such a memorial but only once the Registered Mason has obtained the consent of the Burial Registrar.

Subject to Regulations, flower containers may be placed on graves provided they are not made of glass, bear no personal inscription and do not exceed 12" (304mm) in height and 9" (228mm) in thickness and do not exceed the width of any memorial as specified in the Regulations for the specified memorial types. There is no restriction on the colour for containers provided they are in accordance with the dignity of the Cemetery.

All memorials erected in the cemetery must be made from natural quarried stone, in keeping with the surroundings and the design approved by the Council prior to erection.

All dowels and ground anchors shall be in accordance with the NAMM (National Association of Memorial Masons) Code of Working Practice (or as subsequently updated). Permanent memorials not may be of wood or metals. Foundation bases could be of either best quarried materials or reinforced concrete conforming to BS 7263.

## **Period following a burial that a memorial can be installed**

Cremation Plot - Following a cremation a memorial can be installed at any time.

Full Burial Plot - A 6-month ground settlement is required following a burial, although this period could be longer.

This is due to the memorial being installed directly in front of the excavated area of the grave and the ground will need time to settle and consolidate.

Subsequently, during this period cemetery staff monitor any will report this to the Parish Council who will arrange for the Cemetery Sextant to top up periodically with topsoil until settlement ceases.

## **Dimensions**

Memorials on Graves are subject to the following dimensions and conditions:

### *Grave sections*

Memorial Overall (including base)

4 feet (1219mm) in height

3 feet 6 inches (1066mm) in width

The base must not exceed 2' (610mm) in width and 12" (304mm) front to back

### *Ashes Sections:*

For cremation and casket plots and children's graves, these dimensions can be considerably smaller.



## **Fixing**

Must be fixed to the foundation using an approved ground support system (as detailed in the National Association of Memorial Masons Code of Working Practice (or as subsequently updated) and in the Council's Memorial Masons Registration Scheme.

No grave mound will be permitted in any section of the Cemetery and grave spaces will be turfed or seeded at ground level as soon as practicable after an interment (at certain times of the year this may take up to 8-10 months due to settlement and seasons of the year).

Full length planting of a grave is not permitted, neither is the planting of trees and shrubs within the cemetery except in designated areas and with prior permission of the Council.

Burial areas, maintained and managed by the Council, are laid out as lawned sections for ease of maintenance. Consequently fences, kerbs and grave surrounds and planting into the plot are not permitted. Any such installation may be removed by the Council without prior notice, as may any material not described in these notes, as detracting from the general tidiness of the cemetery.

Unless incorporated in the memorial, cases and flower containers must be limited to two per grave, be placed immediately in front or at the side of any headstone and must not exceed 12" (304mm). Any plants or other objects outside of the area of the grave will be removed without notice. No kerbing, plastic or wooden fencing or chippings will be permitted around the grave.

### **Temporary Memorials**

For the first six months immediately following an interment, a temporary wooden memorial may be erected. The dimensions of the wooden cross or other religious emblem shall not exceed 3' (914mm) in height above ground level and 2'3" (685mm) in width and not exceed 4" (101mm) in thickness. **If the wooden memorial is not so removed after this time, it will be disposed of by the Cemetery staff.**

**Within 12 months following an interment, the owner of the Grant of Exclusive Right of Burial must install a permanent natural stone memorial**

### **Dangerous or Offensive Memorials**

The Council reserves the right after notice has appeared in two consecutive local newspapers and has been posted conspicuously at the Cemetery gates and in the vicinity of the memorial for two weeks, require the owner to remove any memorial which, in its opinion, has become or is likely to become a danger to health and safety or which is derelict, dilapidated or unsightly condition by long neglect or is not kept in proper repair or condition and if not arranged within three months after the issue of such notice the Council may at its own discretion cause the memorial to be repaired or removed at the expense of the owner. The Council may recover any costs so incurred from the owner of the burial rights, and no grave or vault will be reopened in respect of which any such cost remains unpaid.

The Council reserves the right to exclude or remove from the cemetery at the expenses of the owner any memorial of whatever description or inscription or lettering not executed in accordance with these regulations or in a workmanlike manner or from sound materials, or which in the option of the Council disfigure the cemetery or offend public decency.

The Council reserves the right to refuse to permit the erection of memorials considered inappropriate or that would cause offence. The Council reserves the right to reverse, reaffix, move, line up or otherwise alter the position of any headstone, monument or memorial in the Cemetery which has been insecurely fixed or incorrectly positioned within the Cemetery into such a position as they may require at the expenses of the owner.

### **Unauthorised memorials**

An unauthorised memorial is any memorial bought into the cemetery without our approval or without signed authorisation of the registered owner.

There are a variety of other unauthorised memorials. The list overleaf gives a brief indication of the types of unauthorised memorials.

These are unauthorised items as they are not grave furniture, can impede health and safety and grounds maintenance, can make the cemetery look untidy or become a nuisance if they become loose during the bad weather and blow around the cemetery and can cause distress if found on someone else's grave plot:

- Trinkets/ornaments
- Bottles
- Loose/glass vases
- Lanterns, wind chimes and ornaments on hooks or spikes
- Solar powered lights
- Grave mounds
- Planting of flowers, shrubs or trees on the grave surface
- Loose plastic/ceramic flower pots/trough
- The erection of any form of enclosure or low level fencing and the placements of chippings, pebbles and stones together with wooden, brick or concrete edging on any part of the grave is not permitted

### **Responsibility for memorials**

- Any monument or memorial erected in the Cemetery remains the property and responsibility of the owner of Exclusive Right of Burial for the grave or their personal representation and therefore, remains in the Cemetery at the sole risk of, and must be kept in good state of repair, by the said owner or personal representative.
- The Council will not accept liability for damage to any grave space or memorial or injury to any person within a cemetery except where such damage is directly attributed to the negligence of the Council or their employees.
- The Council recommends that memorial owners take out insurance to protect their property

### **Inspection of memorials**

- The Council periodically inspects all memorials and if any are found to be in an unsafe condition, the Council will place a notice on the memorial and will then contact the memorial owners in order that they can rectify any problems. Should the Council be unable to establish contact with an owner the Council will make the memorial safe or undertake such other remedial action to remove the danger as necessary.

- Memorial owners shall be responsible for the cost of repairing or re-instating memorials. The Council will endeavour to notify memorial owners of unsafe memorials but if not repaired or contact not made within two months of this action, the memorial may be removed by the Council.
- Where a 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 owner of the memorial or subsequent claimant to the Exclusive Right of Burial, should they become known to the Council.

### **The Council reserves the right to:**

- Remove, without notice, any memorial and take any necessary precautions necessary to safeguard the Council's employees or contractors when digging graves adjacent to any memorial.
- To re-fix, move, line-up or otherwise alter the position of any memorial in a cemetery as they may require
- Remove any monument or memorial, which has become, or is likely to become, dangerous or which is in a derelict or unsightly condition.
- Remove any monument or memorial where the periods of Exclusive Right of Burial and Right to erect a Memorial have elapsed or when the Right to Erect a Memorial is deemed to be terminated.
- Remove any memorial or other item that is placed upon a grave in contravention of these regulations, without notice. All Cemetery fees and charges shall be in accordance with the scales of fees and charges for the time being adopted by the Council.

## **12. MEMORIAL TREES AND ROSES**

Memorial trees can be provided for the bereaved to place a plaque at the base of, in memory of a loved one.

**No further planting or the placing of articles is allowed on or in the trees/rose bushes and any articles that have been placed outside of these Rules may be removed without notice.**

The Council shall be responsible for the maintenance and upkeep of any trees and rose bushes, This shall include the replacement of any trees. The Council reserves the right to alter the position or species of any trees that may be replaced.

### **13. PLANTING AND TRIBUTES WITHIN THE CEMETERY**

As well as paying respects for the recent burial of a loved one, we understand the following special events throughout the year where families and friends like to place flowers, a wreath or floral tribute to mark an anniversary:

- Birthdays
- Wedding Anniversaries
- Mother's and Father's Day
- Easter
- Remembrance Sunday
- Christmas

Funeral wreaths will generally be disposed of within 14 days after interment; however, they may be left longer depending upon how well the flowers have lasted.

Live holly wreaths for Christmas are normally retained on site until 31st January, depending on the weather.

We would ask you to note that we retain the ownership of each grave plot and ask you not to plant any flowers, shrubs or trees on the grave plot surface as this can hinder the regular maintenance of the cemetery.

### **14. MAINTENANCE AND UPKEEP OF THE CEMETERY**

Grounds maintenance operations such as grass cutting, leaf and litter clearing, upkeep of trees, shrubs, flower beds, hedges and memorial borders will be carried out by the Council or its contractor, at a frequency determined by the Council and by weather conditions.

The Council reserves the right to disconnect the water supply during the winter months to avoid the freezing and ultimate bursting of the pipes, or when the tap(s) are defective or the water supply provided is being abused.

The Council reserves the right to change the appearance of the Cemetery and therefore the demeanours of the surround adjacent to a specific grave may change as may any amenity or feature adjacent to a grave.

The Council shall endeavour to reinstate all newly excavated graves within 6 months of an Interment, subject to ground conditions and to the season of the year being appropriate for these works to be undertaken. This period is necessary to allow the natural subsidence of the earth used to fill the grave. The reinstatement shall include the levelling and seeding of the grave surface.

## **15. FEES**

Fees for cemetery services will be determined by the Council annually and are payable in advance.

**PLEASE SIGN AND DETACH THIS PAGE AND  
RETURN TO THE ADDRESS BELOW**

**Conditions of Sale of the Exclusive Right to Bury**

The purchaser of the exclusive right to bury in any plot must keep the plot tidy to contribute to the overall appearance of the cemetery and to make it a pleasant place to visit.

The purchaser is expected to observe the requirements set out in the document. If it appears that they are not being adhered to the Council will raise the matter with the purchaser so that it can be resolved amicably. The Council reserves the right to take appropriate action if agreement cannot be reached and the infringement continues.

**I have read and understood the rules and regulations set out in this document and I agree to comply with them.**

**Signature:**

**Date:**

**Burial Registrar's Signature:**

**Date:**

**This document must be signed by the Burial Registrar (Parish Clerk) otherwise it is not a valid document. A copy of this signed page will be retained within the Burial records.**

Cemetery Office

Barwell Parish Council

10 High Street

Barwell

LE9 8DQ

Telephone: 0116 2876985

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