

SANDIACRE PARISH COUNCIL

CEMETERY RULES & REGULATIONS

Church Drive, Sandiacre, Derbyshire, NG10 5EE

The Clerk to the Parish Council is the delegated Officer for management of the Cemetery.
Parish Council Office. 19b, Doncaster Avenue, Sandiacre, Derbyshire. NG10 5FJ
Tel: 0115 9490 456 Email: clerk@sandiacreparishcouncil.org

www.sandiacreparishcouncil.org

Office hours: Monday to Wednesday 9.30am to 2.30pm

Rules and Regulations made by Sandiacre Parish Council under The Local Authority Cemeteries Order 1977 and The Local Government Act 1972 – Section 214 and Schedule 26.

1. OPENING HOURS

The Cemetery is open to the public at all times.

2. TIMES OF BURIALS

Burials may take place between 9.30am and 2.00pm, Monday to Wednesday and thereafter with permission of the Clerk.

Excluding: Saturdays, Sundays, Public Holidays and other local government statutory holidays.

The time agreed for the burials must be strictly adhered to in order to avoid inconvenience to other mourners.

3. CONDUCT

All persons must conduct themselves in a respectful, quiet and orderly manner and must not:

- a. Create a disturbance
- b. Interfere with any burial
- c. Interfere with any grave, vault, tombstone or other memorial, or floral tribute
- d. Play any game or sport in the Cemetery grounds
- e. Ride a bicycle or use any other recreational equipment
- f. Deposit litter or spent floral tributes other than in the receptacles provided for such purposes
- g. Bring animals, except for dogs that are on leads at all times and under proper control. Any dog fouling must be removed and disposed of in an appropriate bin
- h. Play musical instruments, operate radios, or similar equipment
- i. Damage plants and trees

4. VEHICLES

Vehicles are not allowed in the Cemetery except by permission of the Clerk or a Church representative. Cycles must not be ridden in the Cemetery grounds. Mobility scooters are permitted.

5. PLANS

The Clerk keeps plans and records showing the situation of all graves in the Parish Council Cemetery. The Vicar of St Giles' Church is responsible for and retains plans and records for St Giles' closed Churchyards.

6. APPLICATIONS

Notice of interment on the prescribed form must be made available to the Parish Clerk during normal office hours, giving at least 2 working days notice before the intended interment.

No application for interment can be received on Saturdays and Sundays, Public Holidays or other local government statutory holidays.

Sandiacre Parish Council – Cemetery Rules and Regulations

7. DISPOSAL CERTIFICATE

No interment may take place unless a Registrar's Certificate for Burial or Coroner's Order for Burial is presented, prior to burial, to the Clerk or his/her representative who is present at the Cemetery.

8. FEES

All fees and charges are to be paid to the Clerk before any interment takes place, except where alternative arrangements in writing have been made with the Clerk. All cheques should be made payable to Sandiacre Parish Council.

9. SERVICES

If any funeral service is to be conducted by a Minister of Religion/Faith, the applicant must make arrangements. The applicant is responsible for paying the Minister's fees.

11. NON CHURCH OF ENGLAND (C OF E) FAITHS

Faiths other than Church of England (and non-faith) would normally be buried in un-consecrated areas. If your faith is C of E you may opt to be buried in either the consecrated ground or in the un-consecrated area set aside in the Cemetery.

12. TYPE OF GRAVE

All graves in the Cemetery are lawn type. No grave mounds, kerbs, railings, chippings or edging of any kind are permitted.

13. DIMENSIONS OF GRAVES

The maximum permitted size of a grave shall be 8' x 4' in Area 1 and 9' x 4' in Area 2 allowing 1' of undug soil at the head of the grave on which to erect a headstone.

The maximum depth of every grave shall be 7' for the first of two interments.

The minimum depth of every grave shall be 5'. (Single interment, or re-open depth for second interment).

A body shall not be buried in a grave so that any part of the coffin containing the body shall be at a depth of less than three feet below the level of the surface of the ground adjoining the grave unless the Clerk specifically so authorises in any given case.

14. GRAVE DIGGING

The responsibility for organising grave digging at the Cemetery will rest with the Funeral Director.

All grave digging operations will be carried out in accordance with the Council's risk assessment and procedure.

All graves MUST be shored and must be removed in stages as back filling progresses.

Small mechanical diggers may be used with permission of the Clerk.

Surplus soil shall be disposed of in the soil compound on site, or within the Cemetery grounds as directed by the Clerk.

Before interment, grave surrounds will be covered with grass mats. Webbing for lowering and surface biers will be made available for use by the Funeral Director.

Graves will be backfilled immediately after the mourners have left the graveside. Floral tributes will be gathered together and placed onto the finished grave. Tributes will be removed once spent (normally after 2 weeks).

Ground settlement will invariably occur in the months following a burial. The Parish Clerk will regularly inspect the grave and arrange for re-levelling of the surface and turfing.

Sandiacre Parish Council – Cemetery Rules and Regulations

15. PLANTING / ORNAMENTAL ITEMS

The planting of bulbs, flowers, small shrubs, conifers or trees is allowed in the Cemetery grounds, subject to planting not being invasive. Small flowerbeds are being created.

Planting is by prior permission of the Clerk only.

Planting of trees or shrubs of any kind, on, or adjacent to graves or cremated remains plots is not permitted as they will encroach onto other grave space and plots and obstruct grounds maintenance work and grave digging.

Ornamental items, glass items and other memorabilia are not permitted.

The Parish Council reserves the right to remove any unauthorised items, at any time, without notice being given.

16. SCATTERING OF CREMATED REMAINS

The loose scattering of cremated remains (ashes) is not permitted within the Cemetery grounds, as this would affect other graves. However, there is an area provided for the burial of cremated remains.

17. BURIAL OF CREMATED REMAINS

Caskets containing cremated human remains may be buried in separate graves 30" by 30" upon receipt of a completed Notice of Interment form and the Certificate from the Crematorium where the cremation took place, together with the appropriate fee.

18. EXHUMATION OF ASHES

The removal of cremated remains for whatever purpose, once buried, requires a licence from the Secretary of State at the Ministry of Justice and/or a Faculty from the local Dioceses. Before any application is made contact should be made with the Clerk who will advise on whether a licence, Faculty or both will be required.

20. BURIALS

Traditional and environmental type burials are permitted.

Details must be provided in full at the time of application.

21. CARRYING OF COFFINS

Funeral Directors are reminded that they are responsible for the health and safety of their staff.

The handling of the coffin should have been risk assessed in accordance with the Manual Handling Operations Regulations, 1992. In particular Funeral Directors must provide sufficient bearers to safely carry the coffin or casket from the hearse to the grave and also to lower. Training in manual handling for bearers is advisable.

Where mourners wish to carry the coffin the Funeral Director and his staff will assist in lifting and lowering the coffin from the shoulders of the mourners and will 'shadow' the mourners whilst they convey the coffin to the graveside.

22. MEMORIALS

Being the owner of the 'Right to Burial' grant does not extend to having the automatic 'Right to Erect a Memorial', but the current owner of the grant to the 'Right of Burial' is the only person allowed to make an application to erect a memorial.

If the grant owner is the deceased, the immediate next of kin or Executor or legal administrator can make the application for ownership to be transferred.

Sandiacre Parish Council – Cemetery Rules and Regulations

The grave owner is responsible for maintaining the memorial headstone. All memorials must be kept safe, and any broken or damaged memorial headstone that have become unsafe may be laid flat.

Wooden cross 'markers' are permitted for a temporary period of no longer than 12 months after which time they should either be replaced by a headstone or removed by the family.

It is important to allow a new grave to settle before placing a memorial headstone on disturbed ground. The Council advises that memorials are not erected until a period of 6 months has elapsed from the date of the burial.

The grave owner may wish to insure a memorial against damage and vandalism.

Memorials and their inscriptions are permitted only in accordance with the following conditions and only on graves for which 'Exclusive Right of Burial' have been purchased

Written applications must be made on the forms provided and accompanied by the appropriate fees. The Clerk must grant approval before a memorial may be erected or an inscription made or added (including a statement of the proposed material).

A qualified Mason must sign the application form or a scanned copy of the qualified Mason's signature may be used. An electronic generated (font) signature will not be accepted.

Memorial's must comply with British Standard 8415 and be installed in accordance with the British Register of Accredited Memorial Masons Blue Book or National Association of Memorial Masons Code of Practice. Action will be taken by the Council whenever instance of non-compliance is identified.

A drawing of the proposed headstone and its foundation giving constructional details i.e. size of dowels, diameter of drill holes, type of ground anchor/fixing system to be used, and a copy of the proposed inscription and the written consent of the person/persons having right of burial must accompany the application. Should the owner of the right of burial be deceased a transfer of ownership must be arranged prior to the Council giving permission.

Materials

Any material that will not bear continuous exposure to the weather will be rejected.

Memorials for graves shall be restricted to the placing of a monumental vase or the erection of a headstone not exceeding: Height 4' (including base).

Base not exceeding: Height: 9" Width: 30" Depth: 12"

All headstones must be erected on a foundation that complies with the British Standard and industry standards mentioned above.

Memorial vases shall not exceed 10 inches square by 10 inches in height.

The number of the grave must be discreetly engraved on every memorial. The name of the firm supplying or erecting a memorial may be cut in small letters at the back of the memorial.

Memorials on plots for caskets containing cremated remains shall be of natural quarried stone (e.g. granite or marble) to be laid flat in the ground to just below ground level. Synthetic stone or plastic is not permitted.

Memorials for cremated remains plots (flat tablets) may not exceed: 18 inches square by 6 inches in height.

All memorials are to be kept in repair by the owner/s.

All memorials within the Cemetery will be periodically inspected as part of a continuous safety programme. This will normally be every five years. Memorials that do not present an

Sandiacre Parish Council – Cemetery Rules and Regulations

immediate danger but may have some defects or deterioration may be inspected more frequently.

The process will consist of a) a visual inspection or b) a manual stability test). Stability testing will be carried out using specialist equipment. Every effort will be made to contact the owners of memorials that have failed a stability test and offer advice on what to do next.

The Parish Council has a duty under Health and Safety at Work Act 1972 to ensure the safety of all that enter the cemetery and hence will periodically inspect headstones in its Cemetery.

All materials, gravestones and monuments must be conveyed into or out of the Cemetery in such a way as not to cause damage.

23. PURCHASE OF GRAVE SPACES

All persons must purchase the 'Exclusive Right of Burial' in a grave space in the Cemetery for a period of 75 years.

The appropriate fee shall be paid at the time of reservation.

On the purchase of 'Exclusive Right of Burial' in a new grave, a Deed of Grant shall be issued and forwarded to the Deed owner who will be duly recorded in the Parish Council Register as the legal owner. Ownership will be registered and the deed issued to the relative, executor, personal representative etc. that signs the Notice of Interment.

24. TRANSFERS

On the death of the last registered owner, the rights of burial and the rights to erect a memorial cannot be exercised until such time as a new ownership has been established. The methods of transfer are complex as the grave can be said to be part of the deceased owner's estate. Application should therefore be made to the Parish Council where the Clerk will facilitate the legal administration for the transfer of rights.

Important Note: When a grave is re-opened for the burial of the owner a transfer is not immediately required as an owner has right of burial. Funeral directors are requested to advise their clients to contact the Council after the burial in these circumstances in order that a transfer of ownership can be arranged.

This action by Funeral Directors will prevent any problem or delay with arrangements for a memorial or any future burial. Where this information is not given or a family neglects to arrange a transfer of ownership such transfer will be required before any memorial work is approved or further burial takes place.

25. OPENING OF GRAVES

No grave in which the 'Exclusive Right of Burial' has been purchased shall be opened without the written consent of the owner, or his/her legal representative.

See 24 Transfers above where the owner is deceased.

26. SOLICITING ORDERS

No person shall distribute business cards, advertisements or solicit orders within the Cemetery.

27. GRATUITIES

The Officers and servants of the Parish Council are not permitted to receive gratuities or commission.

28. MAINTENANCE

The Parish Council reserves the right to maintain the grave.

The Parish Council reserves the right to cut down or remove any shrub, plant or flowers, which they consider in their absolute discretion to be unsightly or overgrown and/or is

Sandiacre Parish Council – Cemetery Rules and Regulations

infringing on adjacent graves. The Council reserves the right to remove any container or neglected or dangerous articles or materials from any grave or plot.

Companies carrying out work in the Cemetery will be required to make good any damage or meet any claim for such damage which may be caused by them in the process of their work.

29. SMOKING IN THE CEMETERY

Smoking is strictly prohibited in the Cemetery near any place where a funeral or religious service is taking place.

30. ALTERATIONS TO REGULATIONS

The Parish Council reserves to itself the power to make alterations from time to time to the foregoing regulations and the schedule of fees and payments.

31. PENALTY FOR CONTRAVENTIONS

Any person offending against these Regulations may be prohibited from entering or working within the Cemetery in any manner whatever and for such a period as the Parish Council may, in each instance determine.

32. COMMENCEMENT

These Rules and Regulations shall come into force on **7 September 2021** and shall have effect to cancel all previous Rules and Regulations made by the Parish Council.

Next review: September 2023