

# **SPROUGHTON PARISH COUNCIL**

## **SPROUGHTON BURIAL GROUND RULES AND REGULATIONS**

### **Rules and Regulations**

Sproughton Parish Council has produced this document as a guide to its policies, practices and procedures in Sproughton Burial Ground. Much of the guide is based on statutory provisions. The Council has tried to simplify language to make the provisions easier to understand, but of course the law will prevail. Other paragraphs are not based on the detailed statutory provisions. Instead they set out how the Council will exercise its general power to manage the burial ground. Everyone is expected to follow this policy and any Rights of Burial etc. are sold subject to whatever policies and procedures, which are from time to time in force.

### **Interpretation**

In these rules and regulations the following expressions have the meanings hereby assigned to them.

'Council' means Sproughton Parish Council.

'Memorial' means an authorised monument placed at the head of a grave or upon a plot used for the burial of remains.

'Memorabilia' means any item left at or near the grave that is not the authorised monument e.g. toys, chimes, photos etc.

'Funeral Arranger' means the person or business, e.g. funeral director taking the lead role in arranging the funeral.

'Grantee' means the person to whom the Exclusive Rights of Burial, for a grave plot, have been granted.

### **Notice of Burial**

1. The Clerk to the Parish of Sproughton should be contacted to determine the availability of any time or date proposed for the burial.
2. Instructions will be accepted by telephone, however, instructions must be confirmed on the proper Notice of Burial before the date fixed for burial. Responsibility for any error on the Notice of Burial shall rest with the person giving notice.
3. The Council will not accept responsibility for any error or delay consequent to any notice being sent by post.
4. Burial fees and charges become due on giving a Notice of Burial and such fees and charges may be varied from time to time by the Council.

### **Burial**

5. Burials shall only take place Monday to Friday between the hours of 9.00am and 3.00pm.
6. No burial will be permitted on Saturdays, Sundays or Public Holidays, other than which in the opinion of the Council is of extreme urgency for reasons of public health.
7. Funeral arrangers, for the purpose of health and safety requirements, must also arrange, where necessary, for memorials and associated fixings, plinths and landings to be removed from the burial ground to allow graves to be reopened.
8. Responsibility for any memorial removed in error will remain with the funeral arranger at whose expense reinstatement will be carried out to the satisfaction of the grave owner.

### **Graves, including Cremated Remains Plots**

9. The selection of graves and urn plots will be subject to the consent and approval of the Council.
10. No body shall be buried in a grave unless contained in a coffin bearing a non-perishable nameplate, which gives details regarding the name of the deceased and date of death.
11. All coffins presented for burial must be constructed of a perishable nature. The use of lead, zinc linings etc. is strictly prohibited.
12. All graves within the burial ground will be excavated without exception, by authorised staff or contractors of the funeral arranger.
13. Graves may be levelled and turfed at the request and expense of the grantee unless the grave is that of a public burial.
14. The Council will maintain the whole of the turfed area of the burial ground. It must be noted that the presence of memorabilia may hinder the effectiveness of such maintenance.
15. No trees, shrubs or plants may be grown on any new grave or cremated remains plot with the exception of bedding plants. The Council reserves the right to remove any unauthorised item.
16. Fencing, of any height or style, is strictly prohibited.

### **Grants of Exclusive Rights of Burial**

17. The Council may grant, subject to the payment of the appropriate fee, the Exclusive Right of Burial in respect of private graves.
18. The ownership of the ground does not, **at any time**, pass from the control of the Council.
19. By proper application and payment of the appropriate fee, the right to erect a memorial will be granted to the Rightful Owner.
20. The grantee shall be given a Grant for the Right of Burial and provided with a Deed, the details of which will be recorded in a register held by the Council.
21. Before the reopening of a purchased grave the ownership of the Exclusive Right of Burial must be proven.
22. Where the burial is not of the registered owner of the Right, the written consent to the opening of the grave must be made on the form provided by the Council.

### **Memorials**

23. No form of memorial shall be erected or placed upon a grave unless the Right of Burial has been purchased and proper application for permission to erect a memorial has been made and duly approved.
24. A written application for permission to erect a memorial, at which time the appropriate fee is due, shall be given to the Council on the form provided by the Council and responsibility for error shall rest with the person completing the form.
25. Such applications shall include a clear sketch or illustration of the memorial, showing foundations, dimensions, type of stone or material and method of fixing with a copy of the proposed inscription for approval by the Council.
26. The Council reserves the right to refuse to allow the placing of an inscription upon any memorial if, in the Council's opinion, such an inscription is libellous, inaccurate or likely to cause offence to any person or body of persons.
27. Any memorial erected without written approval of the Council will be classed as unauthorised, and will be subject to removal and storage 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.
28. All contractors, including masons and memorial cleaning businesses, carrying out any work to a memorial will be required to notify the Council of their intention to do so.
29. No masonry, or business cleaning work, is permitted on Saturdays, Sundays or Public Holidays, other than that which in the opinion of the Council is of extreme urgency for reasons of public safety.
30. All memorials will be inspected following their fixing by the Council. If any discrepancies to the original application or incorrect positioning or siting are found then this shall be notified in writing to the mason completing the work or the grantee.
31. The letter will specify what needs to be done to remedy the problem and any corrective and/or remedial work must be completed to the satisfaction of the Council within 14 days of the written notification.
32. Failure to respond to any such request will result in a further notification to the grantee advising of the Council's intention to remove and store the memorial awaiting the corrective or remedial works. Such removal and storage will be subject to a fee.
33. All memorials when completed shall remain at the sole risk of the grantee at all times. The Council accepts no responsibility for any damage that may occur to memorials.
34. On the back of the headstone, close to the base of each memorial the mason's name and number of the grave shall be clearly cut and painted in letters and numbers not exceeding 25mm (1") in height and an anchor symbol where a ground anchor has been fitted.
35. Each memorial shall have a foundation that conforms to the standard set by NAMM.
36. All rubbish, refuse, stone or other surplus and waste materials arising from an erection, removal, repair, alteration or cleaning of any memorial must be removed from the burial ground by the mason or person who has carried out the work.
37. Mats, planks, boards or canvas must be used to preserve the grass and paths from injury during such works.
38. No hewing or dressing of stone will be permitted within the burial ground.
39. Each memorial must be kept in good repair by, or for the grantee, and at the expense of the grantee.
40. Neglected or dangerous memorials may be removed, repositioned, marked, cordoned off, or laid flat by the Council if the grantee, after being advised where practicable, fails to have the necessary repair works carried out. Any memorial so removed shall become the property of the Council to dispose of as they see fit.
41. If the grantee cannot be traced after reasonable enquiry the Council may instead serve notice by displaying the notice in a conspicuous place in the burial ground and publish a notice for two consecutive weeks in one or more local newspapers. The notice will then have the effect as if it had been served on the grantee, on the first date of publication.

### **Memorials - Type**

42. A suitable ground anchor system must be used. Any memorial removed for an additional inscription must be replaced using a ground anchor system.
43. All memorials must conform to, and be fixed in line with, or equivalent to, NAMM standards.
44. Flower vases must be securely fixed to the base and form an integral part of the overall memorial.
45. Free standing flower vases are not permitted.

### **Graves**

46. Headstones shall not exceed 900mm (3ft) in height and shall not exceed 600mm (2ft) in width. The thickness of headstones shall be dependent on the height/type of stone.

### **Cremation Plots**

47. Memorials shall not exceed 500mm (20") in height and shall not exceed 375mm (15") in width. The thickness of memorials shall be dependent on the height/type of stone.

### **Vases**

48. Vases may be set immediately in front of the headstones and shall not exceed 250mm (10") in diameter and 200mm (8") in height. Such measurement shall include the base on which the vase may be placed.

### **Memorabilia**

49. Memorabilia must not exceed the height of the memorial. All memorabilia remains the responsibility of the person who placed it there and Sproughton Parish Council does not accept any responsibility for damage whatsoever caused.
50. Memorabilia from one plot must not, in any way, interfere or encroach on to a neighbouring plot.
51. Memorabilia must not be placed in any public area or area that requires grounds maintenance or similar, e.g. trees, bushes etc. The Council reserves the right to remove and dispose of any memorabilia placed in any public area without reference to the person who placed them.

### **Conduct and Management**

52. No person shall wilfully create any disturbance, commit any nuisance, interfere with any grave or memorial or any flowers or plants on any such matter or play any game or sport that may cause offence within the burial ground.
53. All persons must conduct themselves in a quiet, orderly manner.
54. Dogs must at all times be kept on a short lead and kept off graves. Dog owners or the person in charge of the dog must clear up all dog faeces deposited by the dog in their charge whilst in the burial ground. Failure to clear up will result in action being taken under the Dogs (fouling of land) Act 1996.

### **General**

55. Fees and charges are set by the Council and may be varied from time to time.
56. A person, other than an officer or employee of Sproughton Parish Council shall not except for the purpose of properly tending any grave which they are authorised to tend, remove any flowers or wreaths placed on any grave.
57. A person shall not distribute any business card, advertisement or literature of any kind within the burial ground.
58. A person shall not sell or offer to sell any article or commodity or thing of any kind in the burial ground.

Sproughton Parish Council may at any time vary, alter or revoke any of the foregoing Rules and Regulations.