

GREAT WAKERING PARISH COUNCIL

Lawn Burial Ground Cemetery Rules

1 Administration

- 1.1 The "Burial Authority" for Great Wakering Lawn Cemetery is Great Wakering Parish Council (The Council). The Clerk is the Burials Officer.
- 1.2 All correspondence concerning the cemeteries should be addressed to: The Clerk, Council Offices, Little Wakering Hall Lane, Essex, SS3 0HH. email: enquiries@greatwakering-pc.gov.uk.
- 1.3 These rules and regulations are made under the Local Government Act 1972 & Local Authorities' Cemeteries Order 1977 as amended by Local Authorities' Cemeteries (Amendment) Order 1986.
- 1.4 These rules apply to users of the burial ground and not the Parish Council or its appointed contractors acting as agent of the burial authority. By entering the burial ground you agree to abide by and be bound by any rules currently in force and any which may supersede them.
- 1.5 Instructions for interments/memorials/inscriptions will only be accepted from funeral directors/stone masons where the person desiring to be the registered lessee of the rights of burial gives acknowledgement of receipt of the rules and agrees to abide by the burial ground rules in writing on the application form. This includes rules currently in force and those which may supersede them. It is the responsibility of the funeral director/stone mason to provide a copy of these rules to their clients.

2 General Conduct of Visitors within the Cemetery

- 2.1 The opening hours of the cemetery are 7am to 7pm or dusk when earlier.
- 2.2 All persons are expected to behave in a respectful manner.
- 2.3 Children under the age of 12 should be accompanied by a responsible adult.
- 2.4 Visitors should always deposit their wilted flowers and other litter in the litter bin provided. It is preferred that they take them home to dispose of. Unauthorised building of bins, dumping of rubbish, vegetation etc is fly-tipping and will be prosecuted.
- 2.5 Dogs are only permitted onto the cemetery provided they are on leads. All dog fouling MUST be picked up and deposited in the main bin at the entrance to the Cemetery or preferably taken home. Anyone found to be in breach of this regulation will be banned from bringing a dog onto the site.
- 2.6 No unauthorised works of any kind to any area of the burial ground are permitted, this includes but is not limited to the erection of fencing, screening or trellising. Any unauthorised works will be removed without further notice.

- 2.7 No items are to be hung from or attached to the surrounding trees or bushes, these will be removed by the Council without notice.
- 2.8 No unauthorised lighting or signage is allowed in the burial ground this will be removed by the Council without further notice. Two small solar lights (without wires) placed on the headstone will be permitted on burial graves.
- 2.9 No person shall offer goods for sale or solicit orders for the sale of any goods within the cemeteries.
- 2.10 Visitors shall not interfere with any workmen or Officers employed by the Council and shall not employ them to execute any private work whatsoever within the cemeteries.
- 2.11 No unauthorised planting of any kind is allowed except a small garden area open to all measuring 12 metres by 0.90 metres will be allowed in front of the wall facing Chestnut Lodge. This garden will be maintained solely by users of the burial ground in good order. Any planting or pots/troughs outside of these dimensions or inappropriate planting (including conifers/trees/large shrubs) will be removed without further notice. Refusal to obey these rules, repeated complaints or non-maintenance will result in this area being re-grassed.

3 Offences in the Cemetery

- 3.1 No person shall:
- Wilfully create a disturbance in the cemetery;
 - Commit any nuisance in the cemetery;
 - Wilfully interfere with any burial taking place in the cemetery;
 - Wilfully interfere with any grave or memorial or tributes not belonging to themselves;
 - Play any games or sport in the cemetery.
- 3.2 No person, not being an Officer of the Council, or another person so authorised by or on behalf of the Council, shall enter or remain in the cemeteries at any hour when it is closed to the public.
- ### **4 Conditions Regulating Burials.**
- 4.1 The Council may, from time to time, need to make certain burial times unavailable because of operational issues.
- 4.2 All notices of interment shall be delivered to the Council by the funeral directors, a minimum 5 working days of the interment being arranged, exclusive of Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday or a Public or Bank or any other official holiday. The scheduling of an interment is at the discretion of the Clerk. Where a funeral is of a person dying of infectious disease the notice of interment must contain a statement to this effect.
- 4.3 The burial certificate, cremation certificate or order must be delivered to the Council at the same time as the notice of interment and fee. Failure to provide this document will

result in a refusal to grant an interment permit. No interments or excavations are to take place without a permit being granted.

- 4.4 New graves will be allocated in strict rotation and are not available for selection. The choosing of the position of a new grave space is managed by the Clerk and Officers with whom the final decision on the allocation and use of any new burial plot rests.
- 4.5 Only persons who are authorised by the Council will backfill any graves. However, in the event of relatives and friends wishing to do so, this may be permitted at the discretion of the Clerk and with a minimum of 72 hours prior notice. The funeral director will be responsible for all arrangements, including risk assessments, relating to any additional activities at graveside.
- 4.6 No burial will be permitted on Saturdays, Sundays or public holidays.
- 4.7 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 Council 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.
- 4.8 Responsibility for arranging gravedigging lies with the funeral directors, who are responsible for ensuring the grave digger has appropriate training and public (and where applicable) employers liability insurance and health and safety documentation.
- 4.9 Floral tributes that are placed on the grave after a funeral should be removed after two weeks or when the tributes are seen to be decaying if sooner. If these are not removed by the owner, the Council may arrange for them to be disposed of.
- 4.10 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 Council will ensure that this is for the shortest time possible and the grave digger will ensure 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 by the grave digger.
- 4.11 No interment will be permitted unless the body/cremated ashes of the deceased person is contained in a 100% bio-degradable coffin or a shroud considered suitable for burial. Metal or other non-degradable coffins are not permitted.
- 4.12 No coffin/container will be accepted at a cemetery unless the name of the deceased therein is clearly shown. The identity shown on the coffin/container will be verified to the council's officer in attendance at the funeral by the funeral director at each burial service and this will be checked against the appropriate certificate
- 4.13 No funeral director or other person shall be permitted to remove coffin/casket lids or slides from any coffin/casket at any interment within the Cemetery.
- 4.14 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.

5 Conditions Regulating Funeral Directors/Stone masons

5.1 All funeral directors/stonemasons are required to provide to the burial authority annually and also on receipt of any specific request from the burial authority, the following documentation:

- A copy of their health and safety policy and codes of practice.
- 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.

6 Conditions Regulating Graves

6.1 The idea of Lawn Burial Grounds was largely inspired by the work of the Commonwealth War Graves Commission. Each grave is laid in an avenue of grass and may, if the registered lessee so wishes, be marked at the head by a memorial comprising an approved headstone set on a base. Once in position it does not require removal for any re-opening of the grave.

6.2 Where it is the wish of the family to defer the erection of a stone or in the case where a stone is not required, the border reserved for the monument may be used to accommodate a non-glass container for cut flowers provided it is sunk to ground level. Pots, jars, or any other containers not complying with this requirement will be removed without notice.

6.3 No trees or shrubs may be grown or placed on any grave. Small uncut flowers/plants are not allowed on any grave unless in pots and positioned on the headstone or in the area where the headstone would be and should not exceed 30cm in height

- 6.4 Additionally the following items are not permitted in any area of the burial ground:
- Glass jars, containers or other glass items of any kind
 - Ornaments and pot plants exceeding 30 cm in height (see 6.3)
 - Any texts or written documents that have not been pre-approved by the Council
 - Items with club association i.e. sporting or political memorabilia
 - Any lighting/lanterns excepting two small solar lights (without wires) placed on the headstone will be permitted on burial graves
 - Windchimes or windmills
 - Flags and nationalist memorabilia
 - Perishable items including any food and drink items
 - Candles
 - Balloons
 - Toys including soft toys*

*As an exception, on special occasions such as birthdays and anniversaries, toys and soft toys will be allowed to be placed and left for a period of two weeks.

- 6.5 No other inappropriate items may be placed on any grave. All such items including alcohol or any items considered offensive or dangerous may be removed by the Council without notice.
- 6.6 No grave mound, kerbing, kerb sets, or fencing of any style or height is permitted in the Lawn Cemetery, any such additions will be removed by the Council without notice.
- 6.7 Each new grave will be dug to 7ft 6" unless ground conditions prevent this or the prior express approval of the Clerk has been given in written form.
- 6.8 No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave.
- 6.9 No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave on a previous occasion by means of a layer of earth no less than six inches (15 cm) thick.
- 6.10 The Council is not responsible for any unauthorised items placed in the cemeteries without it's express permission and may remove any such items placed anywhere in the cemeteries at any time and without prior notice.
- 6.11 The scattering of ashes is not allowed.

7 Conditions Regulating Exclusive Rights of Burial

- 7.1 The Exclusive Right of Burial is for a period of 50 years from the date of purchase. The purchaser is not buying the grave 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 Council will determine the total amount of burials and/or cremated remains that may be interred in each grave. The Council does not allow the pre-purchase of Grave plots.
- 7.2 The Exclusive Right of Burial may, at the discretion of the Council, be renewed for a further period of time on expiry.
- 7.3 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. The Council may request sight of the Deed of Grant.
- 7.4 The Exclusive Right of Burial can be transferred to another person by assignment, equally it can be bequeathed in a will. All transfers of Exclusive Rights of Burial necessitate a fee payable to the Council and are undertaken with due legal process by the Clerk. The Council encourages grave owners to ensure that other family members are aware of the existence of the Deed of Grant.
- 7.5 Any change of address must be notified to the Council in order that up-to-date records are maintained and so that the Council 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 Council has not been informed about a change of address.
- 7.6 Graves for which the Exclusive Right of Burial applies can only be opened or memorials/inscriptions added 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. After the

interment of the deed holder and until the Deed has been legally transferred by the Clerk no further interments can take place or memorials/inscriptions be added.

- 7.7 The Council would normally expect the Deed of Grant to be purchased by the next-of-kin or other close family member. The Council will refuse to allow the purchase of a Deed of Grant to a third-party if, in their opinion:
- Such a purchase would present a third party with the opportunity to decide who could, and who could not, be buried within the cemetery.
 - Such a purchase would provide an opportunity for the third party to profit from the use of the grave.
 - 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.
 - The maximum number of permitted Owners of Exclusive Rights of Burial is limited to three persons.
- 7.8 On expiry of the Exclusive Right of Burial grant, this may be renewed at the discretion of the Council for a further period. Should this option not be taken up and if space remains within the grave for further burials the Council reserves the right to offer these spaces on a non-exclusive right for the interment of others.

Memorial Regulations

8 Introduction

- 8.1 Great Wakering Parish Council (the Council) recognises the importance of a permanent memorial as a means of commemorating the life of a loved one, acting as a focus for grief initially and in the future as an historical record.
- 8.2 All remedial works to memorials are the responsibility of the owner and insurance cover should be considered by the owner for any damage occurred.
- 8.3 The Right to Erect a Memorial is issued to the owner of the Exclusive Right of Burial and is for the period granted by the Exclusive Right of Burial. The memorial must conform to the Council's current regulations and receive prior approval.
- 8.4 After the grant period has expired the rights can be renewed for a further period at the discretion of the Council on payment of the fee detailed in the scale of fees and charges in force at that time. Failure to renew will mean that the memorial may be removed in the future.
- 8.5 The Exclusive Right to erect a memorial or add an inscription can only be purchased by the registered owner of the Exclusive Rights of Burial.

9 Application for Permit to Place Memorial upon a Grave

- 9.1 The erection of a memorial on an earthen grave will not be permitted until a minimum of 12 months has elapsed following interment. The Council reserve the right to inspect the ground conditions and further delay the erection if that is deemed to be necessary.
- 9.2 A permit has to be issued before a memorial is installed, it will only be issued to masons registered to the British Register of Accredited Memorial Masons.
- 9.3 An application for a permit may only be made by the owner of the Exclusive Right of Burial. A living owner is required to give permission for a memorial to be erected or altered. In order for the memorial request to proceed, the Exclusive Right of Burial may need to be legally transferred by the Clerk to the person(s) entitled.
- 9.4 The permit application form submitted by the stone mason must include a detailed plan of the proposed memorial including the material, colour, dimensions and details of the proposed fixing method. An application will only be processed if the correct fee is paid.
- 9.5 The permit application must clearly state the grave number and the inscription being applied. The Council reserves the right to refuse any inscription that it considers to be offensive or illegal or does not meet its criteria.
- 9.6 The mason undertaking the work must book access with the Burials Officer, stating when they will be on site, they must keep the permit with them at all times so that Officers can ensure the mason fixing the memorial is authorised to do so. If the permit cannot be produced Officers may ask the mason to cease work and leave the site.

10 Fixing Memorials

- 10.1 To promote high standards and protect consumers and the public, the Council only allows those registered to the approved national schemes to undertake any works on memorials in its cemeteries. Approved masons have the necessary skills to ensure that any memorial they fix or repair will pass a future stability test.
- 10.2 Works are only permitted to be carried out on any grave space by a memorial mason accredited to the British Register of Accredited Memorial Masons Scheme (BRAMM).
- 10.3 Each monument is to be covered by a guarantee, which protects against any works becoming necessary to maintain the monuments stability and safety for a period of at least 30 years.
- 10.4 If at any point during the life of the memorial it becomes loose or unstable and this cannot be attributed to ground conditions or disturbance, the mason should, under the terms of the guarantee, re-fix the memorial to the original standard at no cost.
- 10.5 Any monument which is erected out of place or off-line will have to be re-fixed by the installing stone mason within two weeks of being advised that the installation is incorrect. If there is doubt as to the correct mounting position this must be clarified with the Council prior to the monument being installed.
- 10.6 All memorials and those found to be unsafe after memorial testing has taken place) are to be fixed in accordance with the National Association of Memorial Masons ("NAMM")

approved standard and code of safe working practice. This standard sets out the minimum requirements for the safe and reliable fixing of memorials.

11 Operational Times for Memorial Works

- 11.1 Works may only be undertaken Monday to Friday (excluding public holidays) between 09:00 and 15:00 to ensure safety within the site and must be by prior appointment.
- 11.2 Special, written, permission will be needed to work outside these hours or whilst the cemetery is unattended.

12 Stability Guarantee Period

- 12.1 All memorials must be subject to a 'Guarantee of Conformity' granted by the mason who installed the memorial. The guarantee is to confirm that the memorial has been fixed to the best standard set by an accredited organisation at the date of fixing and to be backed up by an insurance policy.
- 12.2 The guarantee is to provide cover to rectify any fixing faults for a period of 20 years following each period of monument work – placing – repair – re engraving – refitting following interment.
- 12.3 A copy of this guarantee must be provided to the Council within ten days of the Council requesting sight of guarantee.
- 12.4 Failure to comply with any of these rules may result in the mason being suspended from working in the Council's cemeteries.

13 Memorial Safety Testing

- 13.1 All memorials will be subject to testing periodically by the Council. Any memorials failing a safety test will, if necessary be made safe by the Council staff including by lying flat or removal to protect visitors to the cemetery.
- 13.2 If the safety status of the memorial is such that remedial work needs to be undertaken to ensure the continued stability then the grave owner or his/her representatives are responsible for arranging suitable repairs to be undertaken by an approved BRAMM or NAMM accredited mason. If this work is not carried out within 3 months of the recorded grave owner being advised that the work is necessary the Council may carry out the work and recharge the full cost to the grave owner by either invoicing or placing a charge on the grave plot. Or the memorial may be laid flat or removed.

14 Wooden Cross/Temporary Wooden Grave Markers

- 14.1 Wooden crosses and temporary wooden grave markers are permissible on any grave space for a period not exceeding twelve months whilst the ground conditions stabilise before a memorial can be permitted. The wood should be a natural hardwood and must not exceed 1 metre in height.

15 Tributes

- 15.1 Floral tributes will be removed from graves two weeks following placement after an interment or earlier if wilted.

- 15.2 Floral tributes, other than at the time of interment, must be confined to non-glass vases in the headstone base area. All other permitted tributes must be confined to the headstone base area.
- 15.3 Seasonal tributes at Christmas and Easter will be removed when they have wilted or one month after the holiday.
- 15.4 Additionally the following items are not permitted in any area of the burial ground:
- Glass jars, containers or other glass items of any kind.
 - Ornaments and pot plants exceeding 30 cm in height (see 6.3).
 - Any texts or written documents that have not been pre-approved by the Council
 - Items with club association i.e sporting or political memorabilia
 - Any lighting/lanterns excepting two small solar lights (without wires) placed on the headstone will be permitted on burial graves
 - Windchimes or windmills
 - Flags and nationalist memorabilia
 - Perishable items including any food and drink items
 - Candles
 - Balloons
 - Toys including soft toys*
- *As an exception, on special occasions such as birthdays and anniversaries, toys and soft toys will be allowed to be placed and left for a period of two weeks.
- 15.5 No other inappropriate/unauthorised items may be placed on any grave or other area. All such items including alcohol or any items considered offensive or dangerous may be removed by the Council without notice.

Lawn Burial Ground – Private Grave Rules

The current requirements of the Council relating to headstones are as follows: -

1. The monument to be made of natural stone, any colour naturally occurring within that stone is permissible.
2. The monument to be 3' 0" (900 mm) at its overall height measured from ground level, comprising a headstone 3" (75 mm) thick and 2' 6" (750 mm) wide permanently fixed by two dowels on a base of the same material 3' 0" (900 mm) long, 18" (450 mm) wide and 4" (100 mm) thick. Provision can be made on the base for up to two flower vases by setting the headstone 2.5" (65 mm) from the back edge of the base. The whole memorial to be erected and fixed by dowels on a concrete sub-base size 3' 0" (900 mm) x 18" (450 mm) x 3" (75 mm) set with its upper surface at ground level. All memorials must be fixed to the NAMM Code of Practice using Ground Anchors.
3. The grave number to be permanently inscribed in figures not exceeding 1" (25 mm) high on the right-hand front face of the base.

4. The mason's name may, if required, be inscribed on the left-hand side front face of the base.

Applications for the Council's permission to erect a headstone are submitted via the firm of stonemasons acting on behalf of the grave lessee. It is important that the application accurately quotes the grave number concerned and is signed by the lessee.

All enquiries should be made to the Clerk to the Parish Council whose decision is final.

Lawn Burial Ground – Cremated Ashes Rules

The current requirements of the Council relating to Ashes Tablets are mainly as follows: -

1. Applications for ashes tablets will not be accepted until six months after an ashes interment. The Council reserve the right to inspect the ground conditions and further delay placement if that is deemed necessary.
2. The Monument Tablet to be made of white natural stone.
3. The Monument Tablet to be 1' 11" (575mm) long x 1' (300mm) wide x 3" (75mm) at highest point. Set on a Concrete sub base 1' 11" (575mm) x 1' (300mm) x 3" (75mm) set with the upper surface at ground level.
4. The vase platform should have vase hole on right hand side for even numbers and on left hand side for odd numbers.
5. The grave number to be permanently inscribed in figures not exceeding 1" (25mm) high on the front face of the base on front of vase upright.

Applications for the Council's permission to erect an Ashes Tablet are submitted via the firm of stonemasons acting on behalf of the grave lessee. It is important that these instructions accurately quote the grave number concerned and are signed by the lessee.

All enquiries should be addressed to the Clerk to the Parish Council whose decision is final.

