

SOMERBY PARISH COUNCIL

Pickwell with Leesthorpe, Burrough on the Hill, Somerby

Rules and Regulations for Pickwell Road Cemetery

Contact Details

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CEMETERY RULES & REGULATIONS

1. Terms used in regulations

- a. "The Council" means the Somerby Parish Council.
- b. Memorial" can refer to a headstone, monument, cross, flat stone, kerbing or any other object placed over the grave.
- c. The Council reserves the right to amend any of the foregoing regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary. Somerby Parish Council as the burial authority has in pursuance of their General Powers of Management contained in Article 3 (1) of the Local Authorities' Cemeteries Order 1977, made the Cemetery Rules and Regulations. These rules and regulations are to be observed in the cemetery under the management and control of the Council.

2. Conduct in the Cemetery

- a. The Somerby Parish Cemetery is a place of peace and quiet reflection. In the cemetery, all persons shall comply with any directions given by a member of the Parish Council.
- b. Any person who wilfully destroys or damages or defaces any property in the cemetery grounds or causes disturbance or nuisance is liable to prosecution.
- c. No dogs, except guide dogs, hearing dogs or other recognised assistance dogs may be taken into or allowed in the cemetery.
- d. No vehicles shall be allowed in the cemetery excepting for funeral directors, contractors and stonemasons. The only exception will be for disabled access using a mobility scooter.
- e. We would respectfully request that smoking is restricted to outside of the cemetery boundary to reduce the disposal of cigarette ends.
- f. Any person who contravenes these regulations may be required to leave the cemetery grounds and may be excluded from re-admission for such period as the Council may determine.

3. Grant of Exclusive Right of Burial – Registration

- a. An exclusive right of burial is where someone purchases the rights to a particular grave plot.
- b. The right of burial is given for 99 years and is in the form of a deed, it is for the plot, not the land, ownership of which remains with the Council.
- c. When the registered owner of a 'right of burial' dies, the person organising the burial must provide satisfactory proof of title, usually a copy of the deed that was issued when the right of burial was purchased. At the time of arranging the funeral of the current deed holder, it is recommended that the deed be transferred to another family member who will be responsible for the grave.
- d. It is also important to inform the Council of any change of address so that the owner can be contacted about any problems, such as damage to a memorial or when the exclusive right of burial is due for renewal.
- e. If no burial takes place during the purchased period (99 years) and the Council has not received a request for renewal from the owner of the right of burial, then the Council may grant a

renewed right of burial to another person. Every reasonable effort will be made to notify the previous owner of the right or their personal representative and give the option of renewal first.

- f. The owner of a right of burial can also give up their right to the Council before the 99 years is up. The Council will determine any payments that may be due. Upon the expiry date of the grave deed the ownership of the grave space will revert to the Council if the family or owner of the Exclusive Right of Burial has expressed no desire to extend the grant period. However, families will have the option of extending this grant for a further period of time with an additional payment of a fee.

4. Grant of Exclusive Rights of Burial –Transfer

- a. The grave owner (whilst living) may transfer the Exclusive Right of Burial in a grave space, subject to the proper notice of such transfer being given to the Council. The appropriate transfer form can be obtained from the Parish Clerk and will need to be completed by both parties before being signed and witnessed.
- b. The transfer form should then be sent or taken to the Parish Clerk with the appropriate fee. The Council will then register the transfer and reproduce a new transferred grant.
- c. No grave in which the Exclusive Right of Burial has been purchased shall be opened without the permission of the owner or his/her next of kin or assignees.
- d. In the event of the death of the original grave owner, the person claiming the ownership rights must first obtain legal letters of administration or notice of probate from a magistrate's court before formal transfer of ownership with the Council can be arranged. There will be no exception to this.
- e. The formal transfer must take place before funeral arrangements are made to reopen the grave space or approval granted on any proposed memorial work.
- f. You may transfer your right of burial with the approval of the Council. You will need to prove to the Council that you are the owner of the right and the Council will not permit the purchase of a grave by a resident to be transferred to a non-resident in order to avoid the additional fee charged.

NOTE: Following purchase the Council will issue a Deed of Grant to the owner of the Burial Rights. This is an important document and should be kept in a safe place as it will be required to be produced at the time of a burial and in support of an application for the erection of a memorial.

5. Fees and charges

Fees for all cemetery services will be determined by the Council. The Council reserves the right to revise these fees and charges at any time. Copies of current fees and services are located in the appendix to these regulations.

6. Definition of Residents of the Parish of Somerby

- a. A resident is someone who immediately prior to their death, was a resident of Somerby Parish, or who lived in Somerby Parish for ten or more years and moved out of the area less than 24 months before their death. The council reserves the right to request proof of residency for example a Council Tax Bill or Electoral Roll entry.

- b. A member of the armed forces will be deemed a resident if their permanent address is within the Parish.
- c. A person who was resident but left for reasons of care will be deemed a resident.
- d. All fees and charges must be paid in advance to the Parish Clerk.

7. Selection and Purchase of Graves

- a. Grave spaces can be purchased by contacting the Parish Clerk. The council will allow purchases prior to interment and payment should be made at this time; an Exclusive Right of Burial Deed will then be issued as proof of ownership.
- b. Graves are sold in rotation. Choice is at the discretion of the Parish Clerk and limited to a row in which the graves are currently being prepared.

8. Three types of grave are available in the Cemetery

a. Purchased Grave

Where an Exclusive Right of Burial has been purchased to allow for interment of one coffin and then following up to 3 containing cremated remains. A memorial can be erected on this type of grave.

b. Cremated Remains Grave

Where an Exclusive Right of Burial has been purchased which allows for the interment of one casket containing cremated remains. A memorial can be erected on this type of grave.

c. Scattered Remains

Cremated remains may be scattered only in the Scattering Area. An Exclusive Right of Burial is not required. A memorial plaque may be placed on the wall.

9. Burial Arrangements

A minimum of three working days' notice (excluding weekends and public holidays) of any proposed interment must be given to the Parish Clerk in writing on the form issued by the council. No burial will be allowed to take place unless the appropriate Registrar, Cremation or Coroners' disposal certificate/order for burial has been handed to the Parish Clerk at least two working days before interment.

10. Acceptance of Interment

- a. The remains of any deceased person will not be accepted for interment unless it is enclosed within a coffin, casket or container of a style approved by the council.
- b. A coffin, casket or container or any part thereof shall not be removed from the cemetery after the deceased has been conveyed there for burial.
- c. The person arranging the funeral must supply sufficient bearers to convey the coffin from the hearse to the graveside.
- d. All graves will be prepared through an appropriate undertaker.

11. Coffins and Urns

Coffins and urns used for burial must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool cardboard etc. The council also allows shroud burial.

12. After the Burial

- a. Backfilling of the grave space will be carried out by the undertaker.
- b. Graves should be left slightly mounded to allow for settlement and flowers delivered at the time of the burial should be placed on the grave by the person who has arranged the funeral once backfilling is completed.
- c. Seeding over of the grave plot will be carried out following a period of settlement of at least twenty-six weeks during which time the grave may be topped up with soil or levelled as necessary.
- d. It is requested that Exclusive Right of Burial grant holders remove any wilted wreaths or flowers that were placed on a grave after a funeral. Wilted floral tributes may be removed by the council into the appropriate disposal area if deemed necessary.

13. Cemetery Registers and Plans of Burial Grounds

- a. The Registers of all burials and plans of the Somerby Cemetery are kept by the Parish Clerk.
- b. As soon as is reasonably practicable, all details relating to a burial are recorded within the registers held by the Parish Clerk.
- c. Copies of certified entries or searches for information contained within the registers can be requested and are subject to the payment of a fee.
- d. The Parish Clerk will undertake the search and provide the applicant with all details (where found) within 10 working days. The information can be provided by phone, email or by the making of an appointment with the Parish Clerk.

14. Lawn Graves and Memorial Areas

- a. All surfaces will be grassed flat with an area for the memorial to be erected.
- b. No earth mound will be permitted, and no flowers, shrubs, plants or trees may be planted on any grave space.
- c. Whilst the Council appreciates that it may be comforting to place personal tributes or ornaments on the grave, please bear in mind that these do prevent essential maintenance and contracted staff will not be able to cut the grass properly if access is restricted.
- d. The Parish Council will not accept any responsibility for damage to any items placed on or around the graves.

15. Permanent Memorials

- a. There is no obligation to erect a memorial on a grave and the Council does not appoint or nominate contractors to provide or erect memorials.
- b. The right to erect a memorial rests with the Exclusive Right of Burial deed holder or his/her next of kin or assignees.

- c. Application for the approval to place a new memorial in the cemetery, alter or add any inscription, or replace, add to or remove from the cemetery any memorial, must be submitted to the Council on the appropriate Memorial Application Form. A completed and signed memorial application form should be forwarded to the council with the appropriate fee.
- d. Wooden crosses are permitted as temporary grave markers for up to 26 weeks, prior to the installation of a permanent memorial but must then be removed from the cemetery after instalment of a permanent memorial.
- e. No permanent memorial will be permitted until after a period of 26 weeks following the interment or at the discretion of the Parish Clerk with advice taken from an approved stonemason.
- f. No work shall be carried out before approval has been issued by the council.
- g. No memorial or part thereof shall be removed from the cemetery without prior written approval of the Parish Clerk.
- h. No memorial shall be erected if there are no remains interred in the grave.
- i. Memorial Masons must be properly insured before undertaking any work in the cemeteries. They must be an accredited member of the National Association of Memorial Masons or on the British Register of Accredited Memorial Masons.
- j. Mats, boards and other suitable protective materials for grass, plants and other memorials must be used whilst the works are undertaken. The site of the work must be left in a clean and tidy state. Surplus materials and refuse must be removed at the end of each working day and immediately upon completion of works.
- k. Any memorial erected on a grave must be kept in good order, repair and condition by the owner.
- l. Any memorial erected in contravention of these regulations may be removed and the cost of removal charged to the person who erected it.

16. Memorial Specifications

- a. All stonemasons carrying out memorial work in the Councils' cemeteries must adhere to the code of working practice issued by the National Association of Memorial Masons and must hold a current BRAMM fixer license. Fixers who do not hold a BRAMM fixer license will only be permitted to work under the direct supervision of a mason who holds a current BRAMM fixer license.
- b. Memorials must be supported and constructed to the satisfaction of the council.
- c. No memorial or foundation will be permitted which:
 - i. Exceeds 4ft (1219mm) high
 - ii. Is less than 3 inches (80mm) or more than 15 inches (381mm) deep
 - iii. Exceeds 3ft (914mm) wide

17. Vase and Flower Holders

- a. Vases and flower holders may be placed on purchased graves without specific approval subject to the following conditions:
 - i. The holder must be placed at the head of the grave so as not to impede grass cutting.
 - ii. The holder must not be made of glass or pottery.
 - iii. The holder is placed on the grave at the owners' risk and the Council will not be liable in the event of its loss or damage however caused.

18. Maintaining Memorials

- a. All memorials are erected at the sole responsibility of the owner and the Council shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. The memorial remains the responsibility of the grave owner during the lease period of the grave. The Council reserves the right to make safe any memorial which becomes unsafe or falls into disrepair, and to recover any expenses from the registered owner. The Council will undertake routine safety checks on all memorials and will notify the grave owner at the last registered address of any necessary works to make the memorial safe. The grave owner will be given a period of 6 months from the date of the letter to effect the necessary repairs. The Council reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner does not arrange for the repairs to be made, the Council may repair or remove the memorial at the owner's expense.
- b. Memorials within the cemetery are monitored for safety reasons. If a memorial is found to be in a dangerous condition, the Council may lay the headstone flush with the ground.

19. Funeral Directors

- a. A Parish Council application form is required to be completed for full or cremated remains interments. A copy of the Grant of Exclusive Rights of Burial (ERB) should be attached to the form proving ownership of that grave and that they have the right to inter the said person, if already purchased. If the ERB is not in the correct person's name a transfer will be required prior to the interment taking place. Contact the Parish Clerk for more information.
- b. Non-residents of Somerby will be charged non-residential fees. A person who was resident but left for reasons of care will be deemed a resident.
- c. Payment and completed forms are requested a minimum of 2 working days before interment takes place. No interment will take place without the disposal notice being presented with the paperwork to the Parish Clerk prior to interment.
- d. The funeral director will arrange for the grave to be dug by a certified grave digger. The Parish Clerk will provide a grave reference to the Funeral Director and mark the grave. The funeral director is responsible for the removal of all excess spoil from the cemetery grounds.

SOMERBY BURIAL GROUND
(Pickwell Road, Somerby)

SCALE OF FEES AND CHARGES

The fees and charges set out below apply where the person to be interred or to whom the right is granted, was an inhabitant or parishioner of the Somerby Ward of the Parish of Somerby, immediately before death or 'recently removed'. In respect of non-inhabitant/parishioner – fees and charges are double those shown.

EARTHEN GRAVE

Purchase (Exclusive Right of Burial)	Single Width (9'x4')	Double Width (9'x8')
• Single depth	£150.00	£300.00
• Double depth	£180.00	£360.00
• Child 1 – 16 years of age	£ 70.00	£140.00
• Child under 1 year of age	£ 10.00	£ 20.00

Interment (New and Existing plot)

• Adult	£100.00
• Child 1 – 16 years of age	£50.00
• Child under 1 year of age	Zero

Scattering of Ashes..... Zero

Interment of Ashes..... £40.00

CREMATION PLOT

Purchase (Exclusive Right of Burial)	Single Width (2'x2')	Double Width (4'x2')
	£60.00	£120.00

Interment of Ashes (New and Existing Cremation Plot)

• Adult	£40.00
• Child 1 – 16 years of age.....	£10.00
• Child under 1 year of age	Zero

Scattering of Ashes..... Zero

SCATTERING AREA

Scattering of Ashes..... Zero

A completed Registration of Burial/Cremation form must accompany all requests.

MEMORIALS

Headstone and Base – All requests for a memorial must be in writing to Somerby Parish Council, clearly identifying design and measurements.

- **Grave** (Stone not to exceed 4' in height x 3' in width x15" in depth).....£50.00
- **Kerbs**.....£75.00
- **Cremation plot** (Stone not to exceed 2' in width x 9" in depth (laid level with the ground) x 9" in height) £50.00
- Each inscription after the first£10.00

Memorial Plaque (not to exceed 6" height x 8" width) – Scattering Area.....£25.00

Cheques to be made payable to: SOMERBY PARISH COUNCIL
All fees, charges and conditions are at the discretion of Somerby Parish Council