



Rodington Parish Council Burial Policy

Introduction

As a Burial Authority, Rodington Parish Council will comply with the Local Authorities Cemeteries Order 1977 and other relevant statutory instruments.

The council strives to offer a sensitive and professional service to the residents of Rodington and their relatives.

All graves and will be sold subject to the Rules set out in this Policy Document (which may be amended from time to time by the Council), together with any statutory legislation relating to 1) the provision of the services and 2) the management, regulation and control of Council owned and/or managed cemeteries and crematoria, and issued by central government, and any other competent authority under which the Council is bound to comply.

Administration & General Rules

No person shall cut or interfere with any turf, shrubs or flowers within the Cemetery, or damage or deface any part of any building, lawn or garden.

The only fixtures and fittings permitted in Rodington Cemetery are official memorials (i.e headstones), benches and memorial trees all of which require a formal application.

Dogs are not allowed in the cemetery unless they are assistance dogs.

Dead flowers and wreaths should be removed by the family and placed in the bins provided for this purpose.

All persons in the Cemeteries must take all reasonable care in order to protect their own safety. Any children under the age of 16 should be accompanied by a responsible adult.

Visitors must conduct themselves in a quiet and respectful manner.

Only authorised vehicles are permitted to enter the cemetery.

Burials

No burial shall take place, and no memorial shall be placed or inscription added, without the permission of the Burials Officer (The Parish Clerk).

If the Parish Clerk is not available for any reason, applications shall be made to the Cemetery Warden, Cllr Keith Smith.

A fully completed interment notice (on the form provided by the council) and the appropriate official certificate must be presented the Burials Officer at least three clear working days before the proposed day of the interment.

A notice of interment shall be given only on the form provided by the Council and must be duly completed in all respects and be signed by the person applying for the interment. It is a statutory requirement that a burial cannot take place without the consent of the burial authority.

All fees and payments in respect of an interment shall be paid at the time of application. The invoice will be raised against the person submitting the application. In usual circumstances this will be the Funeral Director acting on behalf of the bereaved.

The person responsible for the interment shall make all necessary arrangements with any person intended to officiate at the interment.

Grave spaces and cremation plots are allocated by the Parish Clerk and will usually be allocated in strict numerical order.

Ground at this Cemetery is not suitable for Double Burial in a single plot.

Exclusive Right of Burial

The right to Interment and purchase of Burial rights is exclusive to the residents of Rodington Parish except:

1. Where Burial rights were purchased before the deceased moved outside the Parish.
2. Where the deceased at the time of Burial owns or has a tenancy of a domestic property in the Parish.
3. Where immediately before moving to a nursing home or residential care or designated retirement accommodation, the deceased lived in the Parish.
4. Where the deceased has at the time of purchase rights or at the time of burial a spouse, parent, grandparent, brother or sister or child already interred in the cemetery or who already owns Exclusive Rights of Burial.
5. Exclusive Rights of Burial purchased prior 3rd September 2015 are protected by condition 1 and unaffected by the remaining conditions above.

** Ground at this Cemetery is not suitable for Double Burial in a single plot.

The Parish Council will, on request, and on payment of the appropriate fee, enter into a Deed of Grant conferring on the grantee the exclusive right of burial in the grave space indicated and on terms as set out in the Deed Grant.

An Exclusive Right of Burial does not constitute any ownership of land. It is purely the right to have a burial in the allocated grave and any upkeep.

The owner of the exclusive right of burial will not have the right, (except by Will or Statutory Declaration) of transferring or otherwise parting with the right of burial in any such grave except with consent of the Parish Council.

Proof of ownership is required by production of the grave deed before an interment can take place in a reserved grave space or cremation plot.

The holder of the Exclusive Right of Burial may surrender his/her right at any time in respect of the grave or grave space where the said right has not been exercised (ie where no burial has taken place and/or no memorial has been placed on the grave). Upon surrender of the reserved plot the Council will:

Require proof of their ownership to the right for burial in that plot, e.g. by production of the Exclusive Right of Burial (ERB0 certificate)

The person who has leased the plot from the Council will complete a Surrender Form.

The surrender value refund will usually be 50% of the original purchase price as specified on the Deed of Grant (ERB) and this will be refunded.

The surrendered plot will then be reallocated. Some people purchase a grave in advance but then later decide it is no longer required. As the grave is unused it is permissible for the Council to sell the right of burial to another person.

Register of Burials

All burials carried out in the Cemeteries are recorded in a Register of Burial.

If requested, searches of the Register of Burials can be made by a member of Rodington Parish Council and a certified copy of an entry or entries relating to any grave space or interment in the Register of Burials will be provided.

A fee is payable for this service in accordance with the Table of Fees. This is a legal obligation of the Burial Authority to keep and maintain records of burials in the Cemeteries and the current legislation permits the Council to charge a fee for a search of the Register of Burials and to provide certified copies of entries of the said register.

Cremated Remains

The Garden of Ashes is for the interment of Cremated Remains and the Certificate of Cremation for the burial of Cremated Remains must be handed to the Bereavement Services Officer prior to the Interment.

Memorials

General

Written permission must be obtained from the Parish Council before any memorial is erected or removed, or before any work is carried out to any memorial.

A memorial may only be erected on a grave or cremated remains plot where an Exclusive Rights of Burial has been purchased and only after at least one burial/interment of cremated remains has occurred.

Method of Application

Applications for approval must be submitted on the prescribed Parish Council forms together with full costs to the address indicated on the forms.

Fees will be refunded if approval is not granted.

They are normally submitted by a monumental mason acting as agent on behalf of the purchaser.

The agent should ensure that all details are completed and correct, otherwise forms will be returned.

Size and Design

Graves Memorials on graves must not exceed 2' 10" in height above ground level and 2' 6" in width. The thickness must not be less than 3" and no more than 6".

The Parish Council reserve the right to refuse permission for the erection of any memorial on grounds of material and/or design.

If the agent is in any doubt, it is advised that they contact the Parish Council before disappointing the Purchaser.

Monumental Masons' Conduct

No hewing or dressing of stones will be permitted within the cemetery or its approaches.

Mats, canvas or boards must be used to preserve the turf when erecting memorials.

All monuments when commenced shall be proceeded from day to day until completed.

When erecting or working on memorials, the persons engaged on such work will remove all waste materials and make good at their own expense damage occasioned by their activities in the Cemetery.

All Masons must abide by current Health and Safety Legislation and carry Public Liability Insurance sufficient against an accident and all Nationally Recognised Standards, resulting from their work.

The Parish Council reserves the right to debar any Mason from working in the Cemetery if there have been serious breaches of these regulations.

THE PARISH COUNCIL ACCEPTS NO LIABILITY WHATSOEVER for the protection of memorials or for the making good of any damage thereto.

Fixing of Memorials

No works are permitted to be carried out on any grave space except by:

a Monumental Mason who is accredited to the British Registration of Approved Monumental Masons Scheme ("BRAMM") or an equivalent scheme or;

by staff of Rodington Parish Council (and such works may include any works associated with memorial safety inspections and the subsequent temporary making safe of any Memorial)

Basic cleaning/washing down and non-specialist cleaning of a Memorial may be undertaken by any person.

To promote high standards and protect consumers we only allow those registered to the approved national scheme to undertake any works on memorials in our Cemeteries. Approved masons have the necessary skills to ensure that any memorial they fix or repair will be able to pass a future stability test.

All Memorials (including Memorials being re-fixed after a burial has taken place and those found to be unsafe after Memorial testing has taken place) are to be fixed in line with BS8415:2018 the nationally recognised standard for fixing memorials. This states the minimum requirements for the fixing of Memorials.

All costs for this work must be met by the person to whom a permit to place the Memorial was given on his or her heir.

To ensure all Memorials are safe they must be fixed to the recognised approved standards of the day.

The upkeep and maintenance of any Memorial within the Cemetery remains the responsibility of the person to whom permission to place the Memorial was given.

All Memorials remain in the ownership and are the responsibility of the grave owner or person taking over responsibility after the grave owner is deceased.

Stability Guarantee Period

All Memorials installed in any Cemeteries from the date of installation must be subject to a 'Guarantee of Conformity' granted by the mason who installed the Memorial. Such a guarantee is given to confirm that the Memorial has been fixed to the best standard set by NAMM at the date of fixing and should last for a minimum of 30 years. 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 said guarantee, refix the Memorial to the original standard at no cost to the grave owner or the Council.

Memorial Inspections

It is the sole responsibility of the purchaser for the period of the Memorial Permission to maintain in good repair, proper order and condition the memorial to which they hold title. The Parish Council under existing Health and Safety Legislation is required to conduct an annual safety inspection of all memorials within the cemetery. Any memorial not properly repaired and kept in proper order and condition and deemed unsafe, may after due notice to the owner be removed by the Parish Council. If no such owner can be found, the Parish Council shall deal with the memorial, as they deem fit.

All memorials will be inspected by trained staff at least once during a rolling 5 year period to assess their safety.

This will be done through both a visual assessment and a basic hand test to determine if there is movement in the memorial and to what extent.

The individual undertaking the assessment will make the decision on the memorials overall safety based on a strict risk assessment for which they have been trained.

Once inspected each memorial will fall into one of three categories, detailed as follows:

- Category 1 – Memorial is unsafe and poses a risk and will require immediate attention to make safe and/or protect from the public.
- Category 2 – Memorial is safe but there are minor concerns. It should be reassessed in 12 months' time to ensure it has not deteriorated further.
- Category 3 – Memorial is Safe and should be re-inspected in 5 years as part of the next round of inspections or as part of any other check that may occur, for example when checking memorials around a planned burial ahead of excavation of the grave.

The Council has a legal obligation to ensure all of its sites are safe to both visit and work in.

Staff undertaking the inspections will record the details of every memorial and an assessment of its safety using the categories above. These details will be recorded onto the Bereavement Services administration system.

The details will include:

- Date of Inspection
- Name of Inspector
- Grave Identification (Section and Number)
- Category of Memorial (1, 2 or 3)
- Details of any Actions Taken Actions Post Inspection

Should a Memorial be identified as a Category 1 and fail the inspection staff will need to take immediate action to make that memorial temporarily safe or cordon it off until permanent repairs can be made by the grave owner. These actions will be based on a number of factors and the best solution will be administered by the memorial inspection team based on their assessment of the memorial and the surrounding area.

These actions may include:

- Laying the memorial flat – In most cases this will invariably be where a memorial can be laid down on or within an existing kerb set so as not to cause a new trip hazard. A warning sign will be placed near to the memorial.
- Staked and Banded – The memorial will be fastened tight to a wooden post which will act as a temporary support. The banding will also hold a warning notice. The stake and band will be re- inspected every 12 months to ensure neither have deteriorated.
- Monolith Conversion – This involves digging out a depth roughly one third of the overall height of the memorial from the last joint in order that it can be sunk into the ground and made safe. The memorial will have a suitable material wrapped around the part under the ground and a memorial warning notice will be added to the grave. Due to foundations, it may be necessary for the memorial to be moved slightly forward into the grave space to avoid existing foundations.
- Cordoned Off – In some cases it may be necessary to cordon off a particular memorial or an area containing a number of memorials due to their safety. Warning signs will be attached to any cordon placed around a memorial or group of memorials.
- Removal – In extreme cases it may be necessary to remove a memorial from the grave and place into storage if none of the above options are suitable. All of the above are regarded as ‘Temporary Fixes’ and should not be seen as a permanent solution to deal with an unsafe memorial and are intended to reduce or remove the risk of a memorial causing harm or damage to someone. Prior to taking any of the actions above the memorial will be photographed and details recorded of any existing damage or issues.

Informing Grave Owners

Council staff will endeavour to contact the grave owner where any action has been taken due to a memorial failing a safety inspection. Correspondence will only be sent providing that the grave owner is not recorded as being in the grave or if it is apparent that the registered address no longer exists. For any memorials over 50 years of age no correspondence will be sent but a notice will be left on the grave space for a period of not less than 12 months.

If any memorial that fails an inspection that has been installed within the previous 6 years, the Parish Council will contact the stone mason directly to request repairs be made to ensure the memorial is fully compliant with BS8415. The stability guarantee of a memorial is the responsibility of the stonemason and they may provide a longer guarantee period, 6 years is the standard legal period that must be covered by the installation.

Grave Owners Responsibilities

The registered grave owner has a responsibility to ensure the memorial is made safe through being properly re-fixed to the current BS8415 standard and works must be undertaken by a qualified and BRAMM (British Register of Accredited Memorial Masons) registered Stone Mason. 'Do it yourself' repairs by families will not be permitted, memorials must be fixed to the current best standard of the day by a licensed memorial fixer. All costs associated with organising a memorial to be repaired, including the reversal of any works undertaken by the council, remain the responsibility of the grave owner.

Unauthorised Memorials

Should any unauthorised items be placed on or around any grave or any Memorial put in place contravenes the Rules the grave will be photographed, the unauthorised items shall be removed and placed into storage by council staff for a period of up to 1 month, after which they may be destroyed.

No notice will be given to the owner of the Exclusive Right of Burial.

Pursuant to the Local Authorities' Cemeteries Order 1977 no tombstone or other memorial may be placed in a cemetery without the permission of the officer appointed for that purpose by the burial authority.

If permission has not been granted the burial authority is permitted to remove the memorialisation from the site. It is essential that the burial sections are maintained to the agreed standard for the benefit of all of our visitors. It is unfair for one or two families to furnish their graves with articles outside of the Rules which can cause distress to others when alternative options are available. It is not always possible to notify the grave owner of the need to remove unauthorised memorialisation, particularly if the grave owner has moved and not informed the Administration Office. It is for this reason that any items that are removed will be destroyed after 1 month without necessarily giving notice.

The Council, in its capacity as a burial authority, is legally entitled to recover the cost it may incur in removing any unauthorised Memorial from the person to whose order the Memorial was placed or within two years from the placing of the memorial, from the personal representative of such a person.

Any memorial placed on a grave space remains the property of the owner(s) of the Exclusive Right of Burial.

The owner is therefore responsible for ensuring the memorial remains in a safe condition.

The Authority can take no responsibility for any damage, accidental or otherwise, to any memorial within its cemeteries. Therefore, any person arranging for the installation of a memorial must consider appropriate insurance that will cover repair or replacement of a memorial should it become damaged in the future.

It has to be understood that memorials are exposed to all types of weather and maintenance in and the site. Memorial Masons will fix to the best standards of the day however future occurrences such as bad weather may result in memorials becoming damaged or destroyed beyond repair. Your memorial mason will be able to advise of insurance options available to you.

Grave Digging

All funeral directors and grave diggers working in the Woodstock Cemeteries must be approved by the council.

Rodington Parish Council will maintain a list of approved contractors. In order to be included on the list applicants should contact the Parish Clerk. They will need to enter into a formal agreement with the council, provide a copy of their insurance and indemnities and agree to comply with the risk assessment that has been drawn up by Rodington Parish Council, after which they will be added to the list.

Grave diggers must also provide evidence that they have been adequately trained. A certificate from an appropriate grave digging training course should be provided e.g. A City & Guilds qualification from the ICCM Cemetery Operatives Training Scheme (Training tab – COTS). If the grave digger has been working in this industry prior to formal qualifications being available Rodington Parish Council will take references from other burial authorities for whom they work.

Funeral directors may sub-contract a grave digger from the approved contractors list.

Grave Digging Requirements

Funeral directors and grave diggers must ensure that all funerals are undertaken in a safe environment. They have a duty of care and must comply with the council's rules, current legislation and best practice.

Council staff will fix a marker in the centre of the grave which shall not be removed by anyone other than the grave digger. This indicates the position of the grave for the grave digger who will then comply with current legislation when digging the plot.

All graves must be carefully dug with due regard to applicable health and safety rules and the sensitivities of other families using the cemetery.

Care must be taken not to damage any adjacent grave, memorial or floral tribute.

Alterations to this policy

The Parish Council reserves the right from time to time to make alterations or amendments to Burials Policy, consistent with the Burial Acts or any other statutory provision.

Fees

A current table of fees is included below:

Burial Fees at Rodington Cemetery

Exclusive Rights of Burial (99 years) and Interment	Parishioner *	Non-Parishioner
Burial Single Plot **	£500	£900
Plot for Cremated remains If more than one set of remains are to be interred the cost will be £100 each (up to 4 sets of remains)	£200	£350
Children under 16 Burial Plot	No Charge	N/A
Children under 16 Cremated remains	No Charge	N/A
Stillborn	No Charge	N/A
Interment Administration fee	£150	£200
Memorial Admin Approval Fee	£125	£185
Cremation plaque Admin Fee Approval	£100	£125
Admin fee for Additional Inscriptions	£50	£50
Register of Burials search	£15 per hour	£15 per hour
Certified copies of entries of the said register.	£3 per copy	£3 per copy

NOTE. All Admin fees apply to all Burials or Cremation Interments

For further information please contact the Burial Officer;

07948 324085 or email rodingtonpc@gmail.com