



# Ludgvan Parish Council

## Burial Ground Regulations

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## 1. Introduction

- 1.1. These regulations apply to all burial grounds owned and/or managed by the Council.
- 1.2. Currently these sites are:

St Paul's Cemetery, Ludgvan

Crowlas Cemetery, Crowlas

## 2. Contact Details

- 2.1. All funeral bookings, general enquiries and comments regarding the Cemeteries should be directed to the Parish Clerk at email [clerk@ludgvan.org.uk](mailto:clerk@ludgvan.org.uk) and tel. 07928 813 653
- 2.2. These Regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate regulations currently in force.

## 3. Admission to the Burial Grounds

- 3.1. The Cemeteries are open for visitors every day of the year during the following times:

April to September	09.00 to 20.00
October to March	09.00 to 16.30

As the gates may be locked at the closing time given above, all visitors and their vehicles are asked to leave the cemetery in good time. No person is permitted to be in the Cemetery outside of the published opening hours without the express permission of the Parish Clerk.

- 3.2. The Cemeteries are places of peace and quiet reflection. They are also workplaces. Visitors to the sites are welcome, but please respect the special nature of the sites, the needs of other users, and safety factors. No games, sports, riding of bicycles, skateboards, roller blades or similar are allowed in the burial grounds. No consumption of alcohol or drugs may take place within the burial grounds, and anybody under the effects of such substances will not be admitted.
- 3.3. Any person creating a nuisance or a disturbance, such as interfering with a funeral, grave, headstone, flowers, trees etc, will be required to leave the cemetery immediately and may be the subject of subsequent legal action.
- 3.4. Children under the age of 14 are welcome in the cemetery but must be supervised by a responsible adult. It is particularly important that children are not allowed to climb on any monuments, trees or other items within the cemetery.
- 3.5. Dogs are permitted in the cemetery provided they are on a lead, are under control at all times and owners clear up any fouling.
- 3.6. Vehicles are permitted in the cemetery but must not exceed the speed limit of 10mph and must obey any instructions given to them by an officer of the Council. Vehicles must stick to the main driveways and avoid parking so as to cause a nuisance or damage to any graves or grassed areas. The Council or any of its

employees cannot accept responsibility for the loss or damage to any vehicle or its contents whilst in the Cemetery.

- 3.7. Visitors with disabilities or other special requirements should contact the Parish Clerk who will be pleased to assist.

## 4. General Regulations

- 4.1. No employee of the Council is allowed to take any gratuity, or to undertake paid private work of any kind in connection with the cemetery either in their own time or during their employed hours.
- 4.2. No person shall canvass or solicit business in the burial grounds.
- 4.3. All fees for interments or memorial works must be paid in full to the Council in advance.
- 4.4. The Council will publish a scale of fees and charges annually. Residents of the area will qualify for reduced fees compared to non-residents. A resident is defined as somebody who, immediately prior to their death, was a resident of the area, or who lived in the area for over ten years and moved out of the area less than 24 months before their death.
- 4.5. The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

## 5. Graves

- 5.1. Graves are available in the two cemeteries, which consists of a consecrated area (St Paul's Cemetery) and unconsecrated area (Crowlas Cemetery). The selection of grave spaces within each of the cemeteries shall be at the final discretion of the Council, based on the next available grave space. The wishes of the family will be met where possible, within this constraint.
- 5.2. Every interment shall take place either in a private or public grave. Private graves are graves to which an Exclusive Right of Burial has been issued, giving an exclusive right of burial but not ownership of the grave as this rests with the parish council. Public graves are graves which remain in the ownership of the Council and to which no exclusive rights have been granted, also known as a common grave. Memorials cannot be placed on public graves.
- 5.3. The Exclusive Right of Burial for a grave can be purchased for a period of 100 years or 50 years. The Exclusive Right of Burial also allows a memorial to be placed on the grave, the installation of a memorial is subject to further application to the council for permission. Memorial application forms are available from the parish council and must be completed and returned to the parish clerk for a decision on whether permission is granted for the memorial specified in the application.
- 5.4. The Exclusive Right of Burial cannot be purchased in advance of need, i.e. graves cannot be pre-purchased or reserved. The Exclusive Right of Burial can only be transferred to another person via the legal process laid out in the Local Authorities Cemeteries Order 1977.
- 5.5. In public graves, the Council undertakes to leave 20 years before allowing the burial of a person unrelated to the original burial. The Council may allow the burial of related people in the grave before the expiration of 20

years. The Council may also allow the Exclusive Right of Burial to be purchased by a family member before the expiration of the 20 year period.

- 5.6. Memorials will only be permitted on purchased graves. Memorials must conform to the regulations given at 9 below.
- 5.7. The types of graves available are Traditional Graves (Crowlas Cemetery only), Lawn Graves (St Paul's Cemetery only), Cremated Remains Graves (Crowlas Cemetery only) and Children's Graves. Traditional Graves can accommodate full memorials including kerbsets and can be planted over the length of the grave; Lawn Graves are laid to lawn and a headstone only is allowed; Cremated Remains Graves are for the burial of cremated remains only; Children's Graves are reserved for the burial of children under 16.
- 5.8. All graves will be excavated and prepared for interment by the council's approved contractors only. No other person or company will be allowed to undertake any excavation within the cemetery except with the express permission of the Parish Clerk. The depth of each grave will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977.
- 5.9. Following the interment the contractor must level the grave and either re-turf or topsoil and seed it as appropriate to the season.

## 6. Coffins

- 6.1. Coffins and urns for burial must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool, cardboard etc.

## 7. Booking of Interments

- 7.1. A provisional booking for a funeral may be made by telephone or email to the parish clerk. Email is the preferred option as the office is manned on a part-time basis.
- 7.2. The provisional booking must be followed up by the submission of a completed Notice of Interment (form supplied by the Parish Council) to the parish clerk at least 5 working days in advance of the intended date and time of the funeral. Receipt of the fully and correctly completed Notice of Interment will act as confirmation of the provisional booking.
- 7.3. The exact size of the coffin, casket or container must be given in writing to the Council as soon as possible after the provisional booking, together with any other pertinent information relating to its size and shape (eg locking bar handles, casket shape, wicker coffin etc).
- 7.4. If the grave is purchased and is to be reopened for a further interment, the **written** permission of the registered grave owner **must** be given. If the registered owner is the deceased already interred in the grave, then it will be necessary for a transfer of ownership to be carried out before permission can be given for the grave to be re-opened. See the parish council website for information on Transfer of Exclusive Right of Burial.
- 7.5. It is the responsibility of the person making the funeral arrangements to ensure that any memorial on the grave is removed from it at least 48 working hours prior to the date and time of the funeral.
- 7.6. The Certificate given by the Registrar of Births and Deaths or an order of the Coroner must be delivered to the parish clerk prior to the funeral.

- 7.7. The Council will determine the appropriate fees to be paid for the funeral, which must be paid fully in advance.

## 8. Interments

- 8.1. Funerals will normally only be permitted Monday to Friday 09.30 – 15.00 (excluding Bank or other Public Holidays). It may be possible to arrange funerals outside of these times, potentially subject to additional cost. Please contact the Parish Clerk if a time outside of the permitted hours is required.
- 8.2. The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service.
- 8.3. It is the responsibility of the person making the funeral arrangements to organise a Minister or Officiant for the funeral if one is required.

## 9. Memorials

- 9.1. The Council has adopted a Management of Memorials Policy dealing with current and future memorial installations, safety inspections and making safe unstable memorials. Masons carrying out work in the burial grounds must comply with the Council's Management of Memorials Policy.
- 9.2. All memorials fixed in the cemetery must comply with British Standard 8415.
- 9.3. Memorial masons should be BRAMM or NAMM accredited, and those memorial masons that hold a current BRAMM or NAMM Fixer Licence, will be able to work in the cemetery.
- 9.4. Memorials will only be permitted on purchased graves. No memorial will be permitted on a public grave.
- 9.5. Memorials other than those fixed by a BRAMM or NAMM accredited memorial mason are not allowed. Fences cannot be erected around a grave nor the space defined other than through planting of suitable plants or the installation of proper kerbsets by a BRAMM accredited memorial mason. On lawn sections planting is confined to the head of the grave and no objects must be placed on the length of the grave.
- 9.6. Before any memorial may be erected or works undertaken to an existing memorial, an application must be submitted to the Parish Clerk on the appropriate form supplied by the Council. The grave owner must sign the form to give their permission for the proposed memorial/works. On approval by the Council a permit will be issued to the responsible Memorial Mason.
- 9.7. Memorials must be constructed of materials suitable to the environment and period of grave lease. The Council reserves the right to reject an application for any memorial that it deems unsuitable.
- 9.8. Memorial permits are granted for a period of 20 years and may be renewed for periods of 20 years thereafter, until the end of the period of the grave lease.
- 9.9. The maximum height of lawn memorials is 3', the maximum width is 2'6" and the depth is 12". The memorial must be a minimum of 3" thick. On traditional graves the Council will consider applications for larger memorials subject to them being satisfied that the installation is compliant with current recognised industry standards. The Council will also consider the installation of kerbsets if they are constructed to current

recognized industry standards. On cremated remains and children's graves the maximum height of a memorial is 2' and the maximum width 18".

- 9.10. The memorial mason must inscribe the company name only on the reverse of the stone towards the base in lettering not more than 1" high. No trademark, phone number or other advertising will be allowed. The memorial mason must also inscribe the grave number towards the bottom right hand side of the reverse of the memorial in letters not exceeding 1" high. On kerbstones the grave number must be inscribed on the right hand side of the foot kerb.
- 9.11. Memorial masons must remove all arisings from the cemetery at the conclusion of their work, and must leave the area in a tidy condition. It is not possible for memorials to be stored in the cemetery prior to re-fixing following a burial – all such memorials must be removed from the site by the memorial mason appointed to remove the memorials prior to the grave being excavated.

## 10. Care of Graves and Memorials

- 10.1. All memorials erected are 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 memorial permit period, which shall not exceed the lease period of the grave. The Council reserves the right to repair or make safe any memorial which becomes unsafe or falls in to 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 reasonable period 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.
- 10.2. The Council recommends that grave owners take out an insurance plan for their memorial.
- 10.3. Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site.
- 10.4. All flower holders or other items left on graves must be made of non-breakable material. Any items left on graves are at the owners' risk and the Council cannot be held responsible for any theft or damage to them howsoever caused. The Council may remove any articles from any grave that are likely to cause risk, damage or offence to other visitors to the cemetery or which interfere with the Council's maintenance of the site.
- 10.5. No trees may be planted on graves. Only suitable planting such as annual bedding or small shrubs only will be permitted on traditional graves and in the head border of lawn graves. The Council may remove any plants that it considers unsuitable or that infringe on other grave spaces or interfere with the Council's maintenance work.