Holbeach PARISH COUNCIL

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BEREAVEMENT SERVICES



CEMETERY POLICY DOCUMENT

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1.. INTRODUCTION

The purpose of this Policy Document is to set out the Holbeach Prish Council Bereavement Services "in-house" rules which apply to the provision of the bereavement services and to provide a useful guide to members of the public who require thee said services.

Please note, the explanatory notes set out in this policy document do not form part of the Rules but have been inserted into the Policy Document in italics so as to explain the provisions and reasons for the Rules.

All graves 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 issued by central government, and any other competent authority under which the Council is bound to comply.

These Rules apply throughout to all cemeteries and crematoria owned or managed by the Council. Should anyone have any queries in connection with the Rules and guidance set out in this Policy Document, in the first instance they should contact the Clerk at the Council Office. Any complaints will be dealt with in accordance with the Council's Complaints Policy.

2. TERMS OF REFERENCE AND DEFINITIONS

In this Policy Document, unless the context otherwise requires the following terms shall have the meanings given to them below:
"the Council" means the Holbeach Prish Council
"Holbeach Parish Council Bereavement Services" means the Bereavement Services department of the Council;
"Cemetery, Cemeteries or Site" means any cemetery or currently owned or managed by the Council
"Exclusive Right of Burial" means an exclusive right of burial granted in accordance with Rule 4.2.3 "Lawn Grave" - means a grave which is mainly laid to lawn and which complies with Rules 4.13.2
"Memorial" means an object serving as a remembrance and for the purposes of these rules include a headstone, cross, kerb, landing, edging, stone chippings, vase, flat memorial tablet, wooden grave markers, temporary grave markers and those memorials permitted under Rule 6
"Memorial Rules" means those rules set out under Rule 6 of this Policy Document
Clerk (Bereavement)" means the Clerk for Bereavement Services and includes his/her deputies, assistants and or his or her representative.
"Policy Document" means this document which sets out the Rules
"Register of Burials" means a register of all burials in a Cemetery kept and maintained by the Council

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"Rules" means the Holbeach Parish Council "in house" rules set out in this Policy Document.
"Right of Burial" means a right of burial granted in accordance with Rule 4.2.2
"Table of Fees" means the list of fees and charges for goods and services provided by Holbeach Parish Council
"the Administration Office" means the administration office at Coubro Chambers, 11 West End, Holbeach. PE12 7LW
"Traditional Grave" – means a grave which is edged by raised kerbs and
complies with Rules 4.13.4
"Working Day" means between 09:00 to 16:00 Monday to Friday inclusive but does not include any days which are bank holidays, public holidays or Council statutory days (a copy of the Council's statutory days can be provided upon request).

3. GENERAL RULES AND GUIDANCE

3.1 Other than as set out to the contrary in this Policy Document or in exceptional circumstances, the opening and closing times of the Cemeteries are displayed at the entrances to each Site and are as follows:

Park Road Cemetery
1st April to 30th September – 07:30 to sunset
1st October to 31st March – 08:00 to sunset

Hall Gate Cemetery
Always open

3.2 No person shall trade any goods or services within any of the Cemeteries except with the prior written permission of the Clerk (Bereavement) To help protect visitors consumer rights and to ensure that the bereaved can visit the cemeteries without fear of being disturbed.

3.3 Dogs are permitted in Cemeteries but must be kept on a lead. Cemeteries are suitable areas for exercising dogs provided they are kept under control and on a lead. Owners must pick up any waste from their dogs.

3.4 The speed limit in force at all of the Sites is a maximum of 10 miles per hour. This helps protect the safety of other visitors and our staff.

3.5 Vehicles must not leave any roadway within the Cemeteries except with the permission of the Clerk (Bereavement)
This protects our grounds and burial sections from unnecessary damage and avoids the need for reinstatement works and prevents additional upset to other families.

3.6 All funeral corteges must be at the main entrance gates of the site where the funeral has been arranged by the agreed booked time. It is essential that

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funerals arrive on time at the Cemetery to ensure the efficient operation of the service.

3.7 Whilst at the Cemetery all funeral corteges shall be under the control of the Clerk (Bereavement) and all hearses and accompanying vehicles must be driven to those areas of the sites as directed by him/her.
The staff on site will be responsible for the burial and ensuring the cortege reaches the correct location. The funeral director or other appointed person will work in co-operation with the staff on site to ensure the funeral is completed in a dignified and respectful manner.

3.8 The Council reserves the right to exclude from any Site any persons not being mourners or persons directly connected with a funeral at the Cemetery Such a right may be exercised by the Clerk (Bereavement) on behalf of the Council.
In some cases, it may be necessary to close the Sites to visitors due to an extremely large funeral or on the request of the police or another authority.

3.9 When notice of burial or cremation is given and where it is anticipated that a funeral is one at which a large number of persons may be expected to assemble, then the applicant or his or her representative shall notify the Clerk (Bereavement) accordingly.
If notification of a large attendance is given measures can be put in place by the staff to ensure the service is not compromised or disrupted in any way.

3.10 If any damage is caused to Cemetery land, walls or premises by any cause whatsoever, the person or persons committing such damage will be held responsible by the Council.
The service area will always attempt to recover full costs for any damage caused by visitors in order to protect the available budgets for the upkeep, maintenance and improvement of the service.

3.11 No photography or filming shall be allowed within the Cemetery except with the consent of the Clerk (Bereavement). Families or a representative of a family however may photograph an individual Memorial. Some visitors may be offended by being filmed or photographed within the cemeteries or whilst attending funerals.

3.12 Employees of the Council shall not be allowed to execute any private work whatsoever within any of the Cemeteries.
Staff in Bereavement Services are not allowed to accept any form of payment or gratuity from members of the public. If you require any works within the Cemeteries, please contact the Administration Office where our staff will be happy to provide you with the relevant information.

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3.13 No music (whether live or recorded) shall be played within the Cemeteries by any person except with the permission of the Clerk (Bereavement).
Music can disturb other visitors to the Cemeteries. Permission will generally be granted for music to accompany a funeral service including live music.

3.14 Dead flowers, spent wreaths or other articles of waste or litter must be placed in the appropriate receptacles provided throughout the Cemeteries. Any floral items found 'past their best' within any areas of the Cemeteries may be removed without notice by Holbeach Parish Council Bereavement Services' staff. This allows our staff to keep the cemeteries areas tidy for our visitors.

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

3.16 Visitors must conduct themselves in a quiet and orderly manner and must keep to the roads and pathways, except when visiting graves. This ensures that the Cemetery are used in the manner to which is expected from our visitors.

3.17 All persons admitted to any of the Cemeteries will be subject to the Rules set out in this Policy Document. Any person infringing the Regulations may be removed from the Cemetery by a member of staff of Holbeach Parish Council Bereavement Services.

3.18 The Council reserves the right to make any alterations to the Rules as and when required As the service changes and improves it may be necessary to amend the current regulations accordingly or at short notice. Wherever possible when this happens Bereavement Services will take all reasonable steps to inform those affected by any changes.

4. BURIAL RULES AND GUIDANCE

4.1 Bookings

4.1.1 All initial bookings for a burial (including the burial of cremated remains) in any Cemetery must first be made to the Administration Office either by telephone or in person and confirmed in writing as soon as possible thereafter using the Councils specified form referred to in 4.1.2 below. This ensures all of our relative processes and procedures can be followed to minimise any problems that may arise.

4.1.2 For all burials a notice of an interment using the Council's specified form must be delivered to the Administration Office on a Working day as follows:
a) in the case of an interment in any by 9.30 am at least two (2) Working Days prior to the interment;

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This ensures that the staff of Holbeach Parish Council Bereavement Services and Contractors have enough notification to excavate a grave in preparation for a burial.

4.1.3 At the discretion of the Clerk (Bereavement): an interment at shorter notice than that provided for by Rule 4.1.2 may be provided:
a. in a case of emergency certified by a medical practitioner; or
b. For those requiring burial due to cultural need in which case the burial will be subject to the agreed Short Notice' burial procedure.
Holbeach Parish Council Bereavement Services will try wherever possible to facilitate burials at any time providing that all statutory documentation is in place, but this is dependent on staff availability to undertake the necessary checks and preparatory works.

4.1.4 A notice of interment shall be given only on the form provided by the Council and such form shall 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. (Holbeach Parish Council)

4.1.5 No alteration to a notice of interment is permitted unless
1) a written request for any such alteration has been submitted to the Administration Office and
2) such alteration has been agreed by the Clerk (Bereavement).
Only alterations to arrangements can be accepted in writing prior to the burial date, this ensures there can be no misunderstandings if verbal alterations only are given.

4.1.6 All fees and charges in respect of an interment will be invoiced at the time of registration of the notice of the interment. 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. Payment of fees may also be made direct to the Administration Office by the applicant for the interment.

4.1.7 The person responsible for the interment shall make all the necessary arrangements with the minister or other person intended to officiate at the interment, including the payment of the minister's fee. Holbeach Parish Council Bereavement Services do not provide a minister or officiate as part of its service.

4.2 GRAVE SELECTION & PURCHASE OF EXCLUSIVE RIGHTS OF BURIAL

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4.2.1 Holbeach Parish Council Bereavement Services may grant upon such terms and conditions as it considers appropriate to any individual an Exclusive Right of Burial. Enquiries relating to such rights can be made to the Administration Office.

4.2.2 EXCLUSIVE RIGHT OF BURIAL

4.2.3.1 An Exclusive Right of Burial allows the purchaser of such a right to burial in an agreed grave space. A grave which is subject to an Exclusive Right of Burial may not be opened and no one may be buried there without the owner's permission (other than where the provisions of Rule 4.3 apply).
The Council may designate areas of its cemeteries into burial zones or sections for operational, maintenance, capacity management and future planning purposes. All areas within the cemetery that are open and available for burials or cremated remains shall form part of a designated zone or section determined by the Council. Subject to grave availability, purchasers may select a grave plot within the zone or section identified by the Council at the time of purchase. The Council reserves the right to determine which zones or sections are available for future burials and may open, close or re-designate zones as necessary for cemetery management purposes..

4.2.3.2 No Right of Burial for a full size grave will be sold to any person until a Grave Type selection sheet has been completed by the proposed purchaser and returned to Holbeach Parish Council Bereavement Services Administration Offices clearly identifying if a Lawn or Traditional grave is required. This document is essential to inform grave owners as to what type of grave is being provided and contains images of both lawn and traditional graves whereby the proposed owner must sign to identify how they want the grave to look in the future and avoid any unnecessary disputes over future memorialisation.

4.2.3.3 An Exclusive right of Burial may be granted for a period of no more than 99 years beginning with the date upon which the grant is made and upon such terms and conditions as the Council deems appropriate. The Council may extend the period of such a grant for up to 99 years from the date upon which the extension is granted. The fee for an Exclusive Right of Burial is set out in the Table of Fees.
Under the current legislation, an Exclusive Right of Burial may only be granted for a certain length of time.

4.2.3.4 An Exclusive Right of Burial does not constitute any ownership of land. It is purely the right to have a burial in a selected grave. The rights are granted on the understanding that the owner of those rights complies with the Rules set out in this Policy Document, any such Rules which are applicable to the

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particular type of grave and/or memorial to which the Exclusive Right of Burial relates. For example, if an Exclusive Right of Burial is granted in respect of a Lawn Grave, then the grant holder will be required to comply with the Rules relating specifically to Lawn Graves. The purchase of burial rights is not in any way the purchase of the land in which the grave lies, it is essential that the public are aware that the grave is sold on a lease basis and that the only rights with that lease are the rights to a burial in the grave and to place a subsequent memorial.

4.2.3.5 On the purchase of the Exclusive Right of Burial a Deed of Grant shall be issued to the person by whom or on whose behalf the said exclusive Right of Burial is purchased.

4.2.3.6 The purchase of the Exclusive Right of Burial in any grave includes the right to erect and maintain a Memorial on that grave space subject to the regulations concerning memorials set out under Rule 6
This allows for a Memorial to be placed on a grave without need for additional rights to be granted.

4.2.3.7 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 (i.e. where no burial has taken place and/or no memorial has been placed on the grave).
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.

4.3 TRANSFER OF EXCLUSIVE RIGHT OF BURIAL

4.3.1 An Exclusive Right of Burial to a grave space may be transferred by deed or bequeathed by will.

4.3.2 In cases where the owner of the Exclusive Right or Burial (“the grant holder”) is still alive the transfer may be done by completion of a Deed of Assignment. A Deed of Assignment is available from the Administration Office. This form should be completed and signed by the grant holder and the person taking ownership of the said right and submitted to the Administration Office together with the original Deed of Grant. A new Deed of Grant will be then issued to the new holder of the said right. A fee, as set out in the Table of Fees, in connection with this service is payable to Holbeach Parish Council Bereavement Services. This is the recognised legal way of transfer of grave rights where the grant holder is alive.

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4.3.3. Where the grant holder is deceased, and provided that the Exclusive Right Burial has not been specifically left to another person, then upon production of a will or letters of administration the Exclusive Right of Burial may be legally transferred to the person in possession of the Letters of Administration or the beneficiary of the residue of the estate under the terms of the grant holder's will. The grave rights form part of the estate of the deceased and can thereby be transferred to the appropriate person upon proof being submitted to the Administration Office of Bereavement Services.

4.3.4 In cases where the grant holder is deceased and there is no will or Letters of Administration available then the Exclusive Right of Burial may not be transferred to another person however a further burial in the grave space may be permissible (if there is available depth) subject to the applicant for the burial completing a Statutory Declaration and ensuring that any other person equally entitled counter signs the Statutory Declaration. A statutory declaration must be witnessed by a Solicitor or a Commissioner for Oaths. This is a legally recognised way of dealing with this issue.

4.4 PLAN OF CEMETERY

4.4.1 In accordance with current legislation the Council keeps and maintains plans showing all used grave spaces and those graves or grave spaces to which special rights appertain (ie an Exclusive Right of Burial). Such plans are kept at the Council Offices and are available for inspection, free of charge on any Working Day. This is a legal requirement as well as an operational requirement of the service.

4.5 REGISTER OF BURIALS

4.5.1 All burials carried out in the Cemeteries are recorded in a Register of Burial, one for each Cemetery. The Registers of Burials are kept in the Administration Office and digitally and are available for inspection by appointment on any Working Day at the Administration Office by any person free of charge.

4.5.2 If requested, searches of the Register of Burials can be made by a member of Holbeach Parish Council Bereavement Services 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

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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..

4.6 BURIAL PROCEDURE

4.6.1 Before a grave space which is subject to an Exclusive Right of Burial can be opened, the written consent of the owner of the Exclusive Right of Burial, or his or her legal representative, must be submitted to Holbeach Parish Council Bereavement Services at the Administration Office together with the original Deed of Grant. If the original Deed of Grant has been mislaid /lost a sworn Statutory Declaration relating to the loss of the original Deed of Grant will be required. The Council must be satisfied that the person requesting the burial is the person legally entitled to the Exclusive Right of Burial..

4.6.2 In cases where the person intended to be interred was the owner of the Exclusive Right of Burial immediately before his death, the Council if requested by the person giving notice of the interment, has the power to order that the grave space be re-opened for the interment of the deceased owner without obtaining the consent of his or her executor or other representative. The registered grave owner has a legal right to be buried in any grave space they own the rights to.

4.6.3 All bodies brought to the Cemeteries for burial shall be contained in a suitable coffin. All cremated remains must also be held in a suitable container. The coffin or suitable container must be clearly marked for identification purposes and include the full name and age of the deceased. To properly respect the deceased and also prevent distress that may be caused to other visitors or staff is essential that the body of the deceased person is properly covered.-Cremated remains will only be accepted in a suitable container prior to burial or scattering within the grounds (Hall Gate cemetery for the later).

4.6.4 Interments shall be permitted as follows:
Between 10:30 and 15:00 Excluding bank and public holidays and Council statutory days It is essential that set times for burials are offered in order to ensure the smooth operation of the service.

4.6.5 Prior to the burial being undertaken, the Registrar's Certificate for Disposal or Coroner's Order for Burial must be handed to the Clerk (Bereavement) or his representative unless the person who has arranged for the burial to take place is able to provide a signed written declaration in the prescribed form confirming that the Registrar's Certificate for Disposal or the Coroner's Order for Burial has been issued and the reason as to why the said document cannot be delivered

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to the Clerk (Bereavement). This declaration or the relevant certificate must be handed in prior to the burial taking place. These are legal documents that must be submitted prior to the burial being allowed to take place. Should a valid reason be given for the absence of the above document(s) and on confirmation with the Registrars service it is possible to facilitate a burial on completion of a standard declaration available from the administration office. This ensures that a funeral can still go ahead and reduce any upset to the bereaved family.

4.6.6 The person arranging the funeral or his/her representative shall ensure that they have sufficient persons to transfer the coffin from the vehicle to the grave side and lower the coffin into the grave. In all cases this should be a minimum of 4 persons for a burial of an adult. It is the responsibility of the funeral director or the person making the funeral arrangements to ensure enough people are present to transfer the coffin from the hearse/vehicle to the grave side and lower the coffin to the base of the grave.

4.7 GRAVE PREPARATION AND BACKFILLING

4.7.1 Other than where the provisions of Rule 4.7.8 may apply, all excavation works and backfilling of graves will only be undertaken by the contractors who are trained to a recognised and accredited standard.
As a Health and Safety issue it is not possible to allow any other person to excavate any grave space within the Cemeteries.

4.7.2 Grave spaces in the Cemetery shall be in accordance with the following measurements:- Full Adult grave space - Maximum of 10ft long by 4ft wide.
In order to effectively lay out and plan the Cemeteries it is necessary to provide a maximum dimension to each grave space. Should a larger grave space than this be required a request to the Clerk Bereavement Services should be submitted.

4.7.3 Graves shall be excavated to a maximum depth of:
4'6" for 1 interment.
This is so that the Council can comply with the current legislation in this regard.

4.7.4 The positions of the head and the feet of a grave space in all the Cemeteries shall be as designated by the Council. In order to manage the layout of the cemeteries Holbeach Parish Council Bereavement Services will decide on the location of sections and graves within those sections.

4.7.5 A grave shall be of sufficient width and length to admit a coffin to the size specified on the notice of interment. It is the responsibility of the person making

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the funeral arrangements to provide accurate measurements of the coffin size to ensure the correct size grave is prepared.

4.7.6 A grave shall be suitably matted and dressed prior to a burial taking place unless otherwise requested by the applicant or representative acting on their behalf. In order to provide an aesthetically pleasing environment all graves will be 'dressed' prior to burial. Should any persons not require this service instructions should be submitted in writing to the Clerk (Bereavement) at the Administration Office.

4.7.7 At the discretion of the Clerk (Bereavement) and where safe and possible to do so the Council will allow family backfilling to take place under supervision of Holbeach Parish Council Bereavement Services' staff. In the event of a family wishing to backfill the grave after the service, details must be included on the original notice of interment. Some families find this an appropriate way to pay their final respects to the deceased. In all cases Holbeach Parish Council Bereavement Services' staff will be present to oversee and supervise the backfilling and provide assistance where necessary.

4.8 Burial of Stillborn Children and NVF

4.8.1 No interment of a stillborn child shall be permitted unless the Registrar's Certificate for Disposal or the Coroner's Order for Burial is deposited with the Clerk (Bereavement) before burial. This is a statutory requirement.

4.8.2 The body of any stillborn child brought to the Cemetery for burial must be enclosed in a suitable receptacle. To properly respect the deceased and also prevent distress that may be caused to other visitors or staff is essential that the body of any deceased person is properly covered.

4.8.3 Burial of stillborn and NVF is permitted in any privately owned grave space.

4.9 GRAVE AFTERCARE

4.9.1 The Council will manage the aftercare and maintenance of the cemeteries as they see fit and in accordance with the service standards set out by Holbeach Parish Council Bereavement Services. This includes levelling, turfing or seeding areas within the Cemeteries as required.

. Under Article 4 of the Local Authorities' Cemeteries Order 1977 the burial authority has a duty to keep a cemetery in good order and repair Bereavement services employ trained and qualified staff to undertake the grounds maintenance duties, although families may choose to tend their own

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graves it is mandatory that any major works required are requested through the administration office.

4.10 GRAVE TYPES

4.10.1 Holbeach Parish Council Bereavement Services offer a range of grave types available for full burials. These are:

a) Lawn Grave
b) Cremated Remains Graves
c) Traditional Graves

4.10.2 Lawn Graves

4.10.2.1 New Lawn Graves are currently available at Park Road Cemetery, and Hall Gate Cemetery.

4.10.2.2 Where possible all new Lawn Graves are set out with a marker to allow identification.

4.10.2.3 Other than a headstone placed on the foundation at the head of the grave no memorialisation (and for the avoidance of doubt this includes kerbs, fences, edgings, chippings, plantings or borders of any description) is permitted on a Lawn Grave. Lawn Graves are required to be clear of any materials to allow for regular and easy maintenance and also ensure that all families who purchase a grave on a lawn section are able to keep and maintain a lawn effect throughout the section. Traditional graves which allow for kerbs, edgings and plantings are available, upon request, in Hall Gate Cemetery.

4.10.2.4 A memorial placed on a Lawn Grave in accordance with Rule 4.10.2.3 is subject to the Memorial Rules contained in this document.

4.10.3 Traditional Graves

4.10.3.1 Traditional Graves are currently available at Hall Gate Cemetery. A choice of grave types allows the bereaved to correctly ensure they can choose the correct type of grave to meet their needs.

4.10.3.2 Traditional Graves are laid out to allow for full kerbs, edgings and landings to be placed upon the graves. Planting of suitable bedding plants within the kerbs is permitted. Kerbs and edgings must be no bigger than 7’ x 3’. The full grave space within the kerbs or edgings may be planted with suitable bedding plants or chippings may be placed within the edgings on top of a landing slab. The grave spaces are 7’ long x 4’ wide at the maximum. All memorialisation must be contained within these dimensions. The area within the kerb edgings is the responsibility of the grave owner who may place any suitable and approved

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material within the edgings or plant the area with suitable bedding plants. Shrubs and trees will not be permitted.

4.10.3.3 Traditional Graves are laid out in a low maintenance area of the Cemeteries. The area is classed as 'low maintenance' and does not have any lawn or grassed areas. This enables the grounds staff to adequately maintain the whole of the Cemetery to an acceptable standard.

4.10.3.4 It is the responsibility of the family/next of kin of the deceased buried in a Traditional Grave to properly maintain any planted area of a Traditional Grave. The registered grave owner holds the responsibility for maintaining the grave including its planting and condition of the memorial.

4.10.3.5 Any Memorial placed on a Traditional Grave is subject to the Memorial Rules.

4.10.3.6 The maintenance of the internal area is the responsibility of the family/next of kin of the deceased who is buried in the grave. Should any Traditional Grave become untidy or neglected in the view of the staff of Bereavement Services where possible, Holbeach Parish Council Bereavement Services will notify the registered grave owner that the Traditional Grave has become untidy or neglected and that Holbeach Parish Council Bereavement Services' staff will remove any planting/layer of bark, mulch or similar ground covering within the next 14 days unless notified by the family/next of kin within that 14 day timescale that they will tidy up the grave within the next 5 days. Prior to any works commencing by Holbeach Parish Council Bereavement Services the area will be photographed and kept on file.

4.10.4 Cremated Remains Graves

4.10.4.1 Graves for the provision of cremated remains are provided at Park Road Cemetery & Hall Gate Cemetery. Dedicated cremated remains burial plots are available at the above locations.

4.10.4.2 Cremated remains may also be interred in any other full-size grave where an Exclusive Rights of Burial has been granted provided that the owner of the Exclusive Right of Burial has given the necessary permission to inter in that grave, or if desired, in an unpurchased grave space. Burials of cremated remains are available in any grave or a full-size adult grave if required (a burial must have already taken place).

4.10.4.3 Cremated remains must be held in a container suitable for burial. The container must have the full name of the deceased clearly visible. Suitable identification of the deceased person is essential to ensure the correct remains are interred in the correct grave.

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4.10.4.4 No burial of cremated remains will be permitted unless a copy of the Certificate of Cremation from the crematorium where the cremation took place, is delivered to the Administration Office, together with the necessary completed notice of interment and the prescribed fee.
This is to comply with current legislation.

4.11 APPLICATION OF THE RULES TO CERTAIN GRAVES IN EXISTENCE PRIOR TO THE COMING INTO FORCE OF THE POLICY DOCUMENT – MARCH 2025

4.11.1 Holbeach Parish Council Bereavement Services acknowledge that there may be some graves within the Sites which were already in existence prior to the coming into force of this Policy Document and which will not comply with the Rules set out in this Policy Document. In some circumstances the Council reserves the right to use its discretion to waive some or all of these Rules with respect to such graves on the condition that such graves are well kept and maintained by the owners of the graves and/or their families/heirs.

4.11.2 The following rules will also apply to any such graves:-

4.11.2.1 Any such grave that is in a designated lawn section will be regularly inspected by staff of Holbeach Parish Council Bereavement Services;

4.11.2.2 Should any grave situated within a designated lawn section become untidy or neglected in the view of the staff of Holbeach Parish Council Bereavement Services, where possible, Holbeach Parish Council Bereavement Services will notify the registered grave owner that the grave has become untidy or neglected and/or contains any unauthorised memorials such as fences, kerbs or edgings on or around the lawn grave which fall into a state of disrepair the area, and if following 14 days of such notification the grave has not been properly maintained/repaired or made tidy or within the said 14 day timescale the grave owner, family or next of kin have not notified Holbeach Parish Council Bereavement Services that they will maintain/repair and/or make tidy the grave within the next 5 days, then the necessary works will be carried out by Holbeach Parish Council Bereavement Services. This ensures that neglected graves are restored to a neat and tidy appearance for the benefit of all of our visitors and the grounds staff who maintain the areas.

4.11.2.3 In respect of Rule 4.11.2.2 once any items are removed and any works carried out on the grave the future management/maintenance of the grave space will fall under the Rules set out in this Policy Document and no further discretion on the part of the Council as to waiving such Rules will be applied. This ensures

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that the problems of unauthorised memorials do not reoccur in the future and ensures the grounds are kept in a neat and tidy condition.

4.11.3.1 The Rules set out in 4.11 extend to cremated remains and traditional graves where any unauthorised memorialisation becomes neglected. This allows for the Authority to deal with any grave space regardless of its type should it become neglected.

5. CREATION RULES & GUIDANCE

5.1 No person shall scatter cremated remains within any part of the Cemeteries without the permission of the Clerk (Bereavement). Any request for the same must be made in writing to the Administration Office.
It is unlawful to scatter any remains within the cemetery grounds without first gaining permission from the Council who manage and own the land.

6. MEMORIAL RULES AND GUIDANCE

6.1 Application for permit to place Memorial upon a grave

6.1.1 No Memorial is to be installed in any of the Cemeteries unless a permit has been granted for the same by Holbeach Parish Council Bereavement Services. It is essential for Holbeach Parish Council Bereavement Services to manage Memorials placed within the Cemetery.

6.1.2 An application for a permit to carry out Memorial works may be made by any of the following in respect of a grave which is subject to an Exclusive Right of Burial or a Right of Burial :-

6.1.2 (i) the owner of the Exclusive Right of Burial or Right of Burial; or

6.1.2 (ii) any person who can satisfy the Holbeach Parish Council Bereavement Services that he or she is a relative of the person buried in the grave, or is acting at the request of such a relative and that it is impractical for him or her or such relative to trace the owner of the said right. In the later case, a Statutory Declaration will be required. This ensures the correct person is applying for the memorial works.

6.1.3 The permit application form must be completed fully and include a detailed plan of the proposed Memorial including the dimensions of the same, and details of the proposed fixing method. An application will only be processed upon receipt of the correct fee where applicable. This ensures our staff can ensure the proposed memorial is within the regulations and will be fixed to an approved industry standard..

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6.1.4 The permit application must clearly state the section of the Cemetery in which the grave is situated together with the grave number. Schedule 1 to the Policy Document sets out the Memorials permitted within the Cemeteries.
This ensures the Memorial is going on the correct grave and the proper person is authorised to instruct the work.

6.1.5 All such permit applications are to be submitted to the Administration Office. Once checked, and, if agreed by Holbeach Parish Council Bereavement Services, a permit to carry out works will be granted. The permit must be kept in the possession of the person carrying out the works authorised under the permit at all times whilst they are carrying out the said works within the Cemetery. Once the authorised works have been completed the permit must be sent back to the Administration Office. A site check of the authorised works will then be carried out by staff of Holbeach Parish Council Bereavement Services as soon as reasonably practicable. This allows for Bereavement Services staff to undertake checks on site to ensure the person fixing the memorial is authorised to do so.

6.2 Fixing of Memorials (See Also Schedule 1 of this Document)

6.2.1 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 Holbeach Parish Council Bereavement Services (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.

6.2.2 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. On occasion it may be appropriate to include additional foundations or bearer slabs and these cannot exceed 4’ in width x 18” deep. 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.

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6.2.3 The upkeep and maintenance of any Memorial within the Cemetery remains the responsibility of the person to whom a permit 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.

6.2.4 Any Memorial being fixed or re-fixed must have the grave section and number clearly displayed on its base along with the identification of the memorial mason fixing the memorial.
This helps to ensure the memorial is being placed on the correct grave space and allows staff at bereavement services to contact a memorial mason should there be any issues with the installation. It also allows memorial masons to subtlety display the quality of their workmanship for other visitors.

6.3 Operational Times for Memorial Works

6.3.1 The erection of, cutting of inscriptions on, or professional cleaning of, Memorials shall be carried out between the hours of ~~9.00~~ 08:30am and 3:30pm Monday to Friday. Works can only be undertaken during normal operational hours to ensure safety within the site.

6.4 Stability Guarantee Period

6.4.1 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. This is a standard guarantee that must be given to any person arranging a Memorial in any site.

6.5 Memorial Safety Testing

6.5.1 Any memorial purchased and erected on a grave space is owned by the registered grave owner and it is that person or persons who are ultimately responsible for its upkeep and maintenance. Historically there have been a number of accidents in cemeteries around the UK, some of which have resulted in fatalities, due to memorials being unsafe. Whilst the memorials are the responsibility of the registered grave owner Holbeach Parish Council Bereavement Services have a responsibility for ensuring that its sites are safe for both staff to work in and for the public to visit.

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6.5.2 Memorial Fixing
All memorials over 24.5 inches (625 mm) in height must be fixed to, and fully compliant, with the current British Standard (BS8415). This also extends to ANY memorial over 24.5" (625 mm) that is being refixed following an interment or removal for any other reason.

6.5.3 The key requirements are that memorials must be fixed to an approved and suitable foundation (where one is not provided by the Authority) and must be further secured using an approved locking or anchoring system.

6.5.4 Note that any refixing or repair works to memorials must be completed by a BRAMM (or other equivalent scheme) registered memorial mason. Temporary works to make memorials safe and remove the risk of danger will be undertaken by trained Bereavement Services staff.

6.5.6 MEMORIAL INSPECTIONS

All memorials over 24" in height in all cemeteries will be inspected by trained staff at least once during a rolling 5 year period to assess there 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 dynamic risk assessment for which they have been trained.

6.5.7 Once inspected each memorial will fall into one of three categories,
detailed as follows:
o Category 1 – Memorial is unsafe and poses a risk and will require immediate attention to make safe and/or protect from the public.
o Category 2 – Memorial is safe but there are minor concerns and it should be reassessed in 12 months' time to ensure it has not deteriorated further.
o 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. In order to be satisfied that this is the case it is essential that Holbeach Parish Council Bereavement Services carry out regular inspections of Memorials in the Sites in a bid to avoid injury or death to any of its staff or visitors.

6.5.8 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

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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

6.5.9 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 reinspected every 12 months to ensure neither have deteriorated.
- 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.

6.5.10 Very large memorials, those over 8' (2.5M) will be visually assessed and if any concerns are recorded the memorial will be cordoned off and if it is safe and possible to do so Bereavement Services staff will carry out works to ensure the memorials are safe. If Bereavement Services staff are not able to make the memorial safe arrangements will be made for a specialist contractor to undertake an inspection and provide a detailed report including costs and options to make safe.

6.5.11 Informing Grave Owners

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Holbeach Parish Council Bereavement Services 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.
Bereavement Services will make every effort to contact grave owners, however if the grave owner is deceased or the last burial was over 50 years ago in our experience it is unlikely that any response will be received therefore no correspondence will be sent.

6.5.12 In the event of any memorial failing an inspection that has been installed within the previous six years we will contact the memorial mason directly to request repairs to be made to ensure the memorial is fully compliant to BS8415.
The stability guarantee of a memorial is the responsibility of the memorial mason and they may provide a longer guarantee period, 6 years is the standard legal period that must be covered by the installation.

6.5.13 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 Memorial Mason (or equivalent).
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 Bereavement Services staff, remain the responsibility of the grave owner.

6.5.14 Should grave owners fail to take any action within a reasonable time period then Holbeach Parish Council Bereavement Services will look to apply a semi- permanent solution to the memorial, this will involve either laying the memorial flat or banding & staking or other suitable action.
Bereavement services need to maintain all of its sites to a high standard and will always try to avoid taking any action that may impact on the general grounds maintenance of sites.

6.5.15 Grave owners are strongly advised to organise and take out their own Insurance cover against any accidental damage that may occur to the memorial.
The Council cannot be held liable for any damage to a memorial that is caused by any factors outside of our control such as damage due to storms that may cause falling debris and recommend that any insurance covers damage of this

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type. Your own insurance company may be able to assist, alternatively discuss options with your chosen memorial mason.

6.6 MEMORIAL TYPES

6.6.1 The following types of Memorials are permitted in the Cemeteries subject to compliance with Rules to 6. 6.6.2 7 and comply with the dimensions stated in Schedule 1 of this document.

a) Headstone or Cross
b) Kerbs, landings, edgings & stone chippings
c) Vase
d) Flat Memorial Tablet
e) Cremated Remains Tablet
f) Wooden Grave Marker
g) Wooden Cross
h) Temporary Grave Marker

6.62 Headstones & crosses

6.6.2 Any memorials covering Double plot headstone can span the space between the graves but must adhere to 102cm (40”) in height and 30.5cm (12”) in depth measurement.

6.6.2.1 Headstones and crosses are permissible on any grave space any other grave for which these Rules impose a restriction as to the placing of a headstone or cross upon a particular type of grave.

6.6.2.2 Any headstone or cross must not exceed –more than 102cm (40”) in height, 91cm (36”) in width and no more than 30.5cm (12”) in depth.-(in the majority of its construction) To ensure safety within the Cemeteries and ensure they do not encroach onto other graves it is essential to prescribe a maximum size for new memorials. Note that it is permissible to have a wider memorial up to cover 2 grave spaces.

6.6.3 Kerbs, landings, edgings & stone chippings

6.6.3.1 Kerbs shall be permitted only on Traditional Graves where provision for this type of memorialisation has been made (see schedule 1 for a complete list of memorials permitted by section and location)

6.6.3.2 Kerbs must a maximum of 12” in height and maximum of 6” in thickness. Note that the maximum height includes for any sub base or foundation works. Landings/Covers shall be of a maximum size of 7’ x 3’ wide.

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To ensure safety within the cemeteries and ensure they do not encroach onto other graves it is essential to prescribe a maximum size for new memorials.

6.6.3.3 The corner stones of a kerb set shall be no more than 1' 2" in height. This ensures the desired appearance of all burial sections remains.

6.6.3.4 Edging stones are to be a
uniform length of a maximum of 7' x 3' wide and made in complete lengths and of a depth of no more than 9" and a thickness of no more than 6". The upper surface of the edging must not be greater than 1" in thickness and must be set level with the adjoining ground. To ensure safety within the cemeteries and ensure they do not encroach onto other graves it is essential to prescribe a maximum size for new memorials.

6.6.3.5 No chippings will be permitted on any grave that is not enclosed with kerbs or edgings as detailed above. This ensures the desired appearance of all burial sections remains.

6.6.3.6 Landing or cover stones are to be constructed of no more than 3 pieces measuring a total of 7' in length x 3' in width. This ensures the desired appearance of all burial sections remains.

6.6.4 Vase

6.6.4.1 This type of Memorial is permissible on any grave space.

6.6.4.2 A memorial vase must measure no more than 1'6" in length x 12" wide. Its maximum height should be no more than 12". To ensure safety within the Cemeteries and ensure they do not encroach onto other graves it is essential to prescribe a maximum size for new memorials.

6.6.4.3 Memorial vases are to be firmly fixed upon the grave space.

6.6.4.4 On any Lawn Graves vases must be placed at of the grave only.

6.6.5 Flat Memorial Tablet

6.6.5.1 Flat Memorial Tablets are permissible on any grave space.

6.6.5.2 On Lawn Graves flat memorial tablets must be placed at the head of the grave only.

6.6.6 Cremated Remains Tablet

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6.6.6.1 Cremated Remains Tablets are permissible on any cremated remains grave space except those where flat tablets or vases are only permitted. (see schedule 1 for a complete list of memorials permitted by section and location)

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6.6.7 Wooden Grave Marker

6.6.7.1 Wooden grave markers are permissible on any Grave.

6.6.8 Wooden Cross

6.6.8.1 Wooden crosses are permissible on any grave space.

6.6.9 Temporary Grave Marker

6.6.9.1 Temporary grave markers are permissible on any grave space for a period of no more than 12 months

6.7 Materials

6.7.1 Memorials made of any type of natural material is permissible in the Cemeteries provided that it complies with the approved BS8415 fixing standard and is fixed to the grave by a registered BRAMM fixer or someone qualified to the same standard other than for the exception set out in Regulation 6.7.2. This allows for more freedom of choice for the bereaved.

6.7.2 Wooden crosses must be fitted securely into the ground but do not have to be secured a national approved method. Wooden Crosses do not pose the same sort of danger as other traditional memorials.

6.8 UNAUTHORISED MEMORIALS

6.8.1 Should any unauthorised items be placed on or around any grave or any Memorial put in place contravene the Rules the grave will be photographed, the unauthorised items shall be removed and placed into storage by Bereavement Services' 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. Please also see Regulation 4.2.3.2 on Grave Selection.
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

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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, we hold any items that are removed and destroy them after 1 month without necessarily giving notice.

6.8.2 The Council, in its capacity as a burial authority, is legally entitled to recover the cost it may incur in removing any unauthorised tombstone or other Memorial from the person to whose order the tombstone or Memorial was placed or within two years from the placing of the tombstone or memorial, from the personal representative of such a person. All memorials installed within the Cemeteries must be approved by the Clerk by the granting of a permit. If any memorials are erected outside of the Rules or without proper permission they may be removed and destroyed.

6.9. MEMORIAL LIABILITIES AND INSURANCE

6.9.1 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.

6.9.2. 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.

7 Memorial Tree Gardens

7.1 The memorial tree gardens are provided for the bereaved to lease a plaque at the base of a tree in memory of a loved one. The plaque will allow for the placing of floral tributes within a pot.

7.2 A small area around the base of the tree (no more than 12”x12”) may be used for the planting of seasonal bedding plants. No kerb or other type of edging surrounds will be permitted around the bases of the trees.

7.3 No articles may be placed on or in the trees and any articles that have been placed outside of these Rules may be removed without notice.

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7.4 The Council shall be responsible for the maintenance and upkeep of any trees in the Memorial Tree Gardens. This shall include the replacement of any trees. The Council reserves the right to alter the position or species of any trees that may be replaced.

8. Floral Tributes, Waste and Recycling

Throughout all of the Sites operated by Holbeach Parish Council Bereavement Services it is common for there to be a regular amount of floral tributes left on graves. Holbeach Parish Council Bereavement Services are not responsible for the type or condition of any floral tributes left by visitors.

8.1 Floral tributes will be removed from graves where a burial has taken place between 14 and 21 days after the burial date. Should any families wish to remove and keep the floral tributes themselves they are advised to do this within 14 days of the burial date.

8.2 Articles such as windchimes, cards, pictures, flags etc are not permitted to be placed on any tree, bench or other similar feature within any of the Sites.

Schedule 1

Memorials permitted at Cemeteries

Park Road Cemetery

Memorials on a single plot should be no more than 102cm (40”) in height, 91cm (36”) in width and no more than 30.5cm (12”) in depth. Double plot headstone can span the space between the graves but must adhere to the above height and depth measurements.
Cremation Tablet 2” x 18” x 12”

Hall Gate Cemetery & Park Road Cemetery

Memorials on a single plot should be no more than 102cm (40”) in height, 91cm (36”) in width and no more than 30.5cm (12”) in depth. Double plot headstone can span the space between the graves but must adhere to the above height and depth measurements.
Cremation Tablet 2” x 18” x 12”

Exclusive Rights of Burial

Exclusive Rights of Burial are available to anyone to purchase for a period of ninety-nine years.

When the owner of an Exclusive Right of Burial passes away, the Exclusive Right of Burial becomes part of the deceased persons estate. The beneficiary of the estate must apply for a transfer using an official document (Grant of Probate, Grant of Letters of Administration). This beneficiary then becomes the owner of the Exclusive Right of Burial and then has a right to apply to erect a Memorial. Memorials will only be Granted to those persons who can prove ownership of the Exclusive Right of Burial.

Holbeach PARISH COUNCIL

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In the absence of either a Grant of Probate or Grant of Letters of Administration, ownership can be transferred to the person or persons entitled, by the use of a Statutory Declaration to confirm details, please refer to the Clerk for relevant documentation.

Please note that in legal terms, the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 no longer applies to identifiable data that relate to a person once they have died.

I* / We* the below agree to the terms and conditions relating to the cemetery rules & regulations as above.

Print Name: _____ Print Name: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

Version	Date Approved	Amendments Made	Next Review Date
V1	10-03-2025		May 2027
V2	02-07-2026		May 2027
V3			