



[Photo: St Michael's & All Angels Church, Eastington by D.Greenaway]

Eastington Parish Council Burial Ground Regulations

Eastington Burial Ground is owned and managed by Eastington Parish Council.

The Parish Council hopes that all visitors to the burial ground find it a pleasant and peaceful experience. The following pages are to guide families and their relatives in the regulations for Eastington Burial Ground and ask that you observe the following procedures to ensure the Burial Ground can remain a place of tranquillity

The Clerk of the Parish Council maintains a Burial Register, a Plan of the Burial Ground and associated burial records. All plans and burial records are retained and those records not subject to Data Protection restrictions are available for inspection free of charge during the availability of the Parish Clerk.

The Parish Council maintains up-to-date fee schedules a copy of which is available on the Parish Council website.

The Parish Council has a Memorial Safety Policy and carries out regular checks to ensure the Burial Ground is maintained to a high standard. Please advise us of any issues you believe need addressing.

Visiting the Burial ground:

All visitors must conduct themselves in a quiet and orderly manner at all times and in accordance with the requirements of the Cemeteries Order. No visitors shall climb upon or over any memorial, boundary or gate. The Parish Council has the right to exclude or remove any member of the public at their discretion.

All children under the age of 12 years of age must be accompanied by an adult.

Dogs on leads may accompany visitors. Dogs must not be allowed to disturb anyone or cause any damage. Any fouling must be cleared immediately and removed from the Burial Ground.

The Parish Council reserves the right of passage over all graves as circumstances require.

The Parish Council reserves to itself the right from time to time to revise these Regulations.



Eastington Parish Council Burial Ground Regulations

General Rules

These Regulations apply to all persons using, working or visiting the Burial Ground. The Parish Council reserves the right to exclude or remove any persons failing to abide by the Burial Ground Regulations.

No burials, services or work of any kind or description shall be undertaken or carried out within the Burial Ground without the relevant information received by the Parish Clerk or Chair of the Parish Council.

All plots will be allocated in sequence. Reservation of grave plots is not permitted.

Interments:

Interments may take place only after application has been made to the Parish Clerk and on his/her authorisation.

Fees for interments and the erection of memorials are in accordance with Section 34 of the Burial Act of 1852, and are issued separately from these regulations.

All fees and sums payable must accompany applications or notices of interment.

Persons who were formerly resident in the Parish but who have moved away due to age or infirmity may be buried at the standard rate. Please include details of previous parish residence with the application to the Parish Clerk.

Persons who have never been resident in the parish will be charged at double the parishioner rate.

The Parish Clerk will decide which rate is applicable.

The Parish Clerk will allocate a numbered plot and maintain a plan of the Burial Ground.

All burial plots will be dug as double depth.

Ashes must either be poured or interred using a bio-degradable container (no metal or pottery allowed).

Headstones, memorial stones and plaques:

All installations carried out must be to the latest national standards (eg ground anchor system) as laid down by the National Association of Memorial Masons irrespective of whether works are being carried out on new or existing memorials.

No monument, headstone or tablet may be erected above a grave without payment of the appropriate fee and without first obtaining the permission of the Parish Clerk.

Sizes for Grave Headstones (must not exceed dimensions below)

Height: 36" (900 mm)

Width: 24" (600mm)

Thickness: 4" (100mm)

All Grave Headstones must be securely fixed onto a concrete plinth not exceeding 34" (865 mm) wide x 12" (300 mm) deep x 4" (100 mm) thick and on a foundation not exceeding 18" (450mm) x 36" (900mm).

Cremation Headstones may be vertical or horizontal but must not exceed dimensions below

Vertical Height: 18" (450mm)

Vertical Width: 18" (450mm)

Vertical Thickness: 4" (100mm)

Horizontal tablets: 18" x 18" (450mm x 450mm)

Vertical cremation headstones must be securely fixed onto a concrete plinth not exceeding 24" (600 mm) wide x 12" (300 mm) deep x 4" (100 mm) thick and on a foundation not exceeding 18" (450mm) x 36" (900mm).

A plan of any proposed memorial showing the dimensions and inscriptions must be submitted to the Parish Clerk. The Parish Council has the right to refuse permission for the erection of memorials it considers unsuitable.



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Plot holder's responsibilities:

Ownership (see **Exclusive Rights of Burial (ERB)** below) and responsibility for the permanent maintenance of the memorial remains with the owner of the memorial, and their successors in title. All memorials shall be kept in good repair for the entire period of ownership of the memorial, and the Parish Council shall not be responsible for any damage or breakage that may occur to the same. It is advised that the owners insure their memorials on their household insurances.

It is recognised that families may wish to put items on graves but the Parish Council asks that these items be kept to a minimum due to the need for work such as regular grass cutting or re-opening of an adjacent grave. If the Parish Council considers that an item poses any risk in terms of Health and Safety (for example glass or china items), or is in a state of disrepair or could cause serious offence to other families, it reserves the right to remove it at any time. Wherever possible, relatives will be informed and items will be stored for 28 days before disposal. Artificial flowers will be removed when they become faded, unsightly or found blowing around the Burial Ground.

A request to create a planted area in front of a headstone must be made to the Parish Clerk before planting. This must not exceed a maximum length of 6' 6"/1.98m (from the back of the headstone) and a maximum width of 24"/600mm (width of a headstone). The maximum height of plants must not exceed 12"/300mm. The soil level must be maintained level with the grass edge by topping up with compost/soil as required. Kerb stones, fencing or edging of any kind is not permitted around the planted areas due to trip hazards.

Floral tributes (flowers/wreaths) will be allowed to remain on a grave until withered, or up to a period of 28 days/one month following a burial/Christmas/Easter/Mothers day etc. If the family has not removed the tributes by this period the Parish Council reserves the right to remove these to facilitate the maintenance of the Burial Ground.

Planting of trees and shrubs is not permitted.

Eastington Parish Council Responsibilities:

Maintenance of the grassed areas of all graves will be the responsibility of the Parish Council, and these areas must remain free of flowers and obstructions to enable this maintenance to take place.

Adjacent graves/re-opening of graves: The purchaser of a grave must be aware that a grave may be covered temporarily during the excavation of adjacent graves. Every effort will be made to protect the grave and every attempt made to restore graves to their formal condition immediately following a burial. However, the Parish Council is not responsible for damage to heavily decorated graves or planted areas as this is the plot owners' responsibility.

The Parish Council has a duty of care to ensure memorials are maintained at a high standard and all memorials are subject to regular inspections.

The Parish Council reserves the right, in every case, to remove any memorial that is considered unsafe or is in a state of disrepair, in accordance with Schedule 3 of the Local Authorities Cemeteries Order 1977.

The Parish Council reserves the right, without notice, and after one year from the date of internment, to eliminate the mound over any grave, or otherwise to deal with a grave space if in their opinion, it is in an untidy condition.

Health and Safety Procedures

The Parish Council carries out the following procedures as documented in the Memorial Safety Policy:

- Monthly visual check by walking through the Burial Ground
- Annual safety check of memorial stones in May (records retained by the Parish Clerk)

Grass cutting is undertaken by a contractor chosen by the Parish Council and a copy of their public liability insurance is held with the Parish Clerk. Risk assessments are carried out annually within the Burial Ground.



Eastington Parish Council Burial Ground Regulations

Exclusive Rights of Burial Purchase and Transfer of Exclusive Rights of Burial

Purchase

Deeds of Exclusive Right of Burial (ERB) must be purchased in respect of all graves. The ownership of the ERB is subject to all Burials being authorised by the Parish Council's Officer and payment of the appropriate fees. On purchase of an ERB, the Parish Council shall issue a Deed of Grant of Right of Burial to the person to whom, or on whose behalf, the ERB has been purchased and such named person shall be registered in the Purchased Grave Register as being the Owner of the Deed.

The purchase of the ERB is the right of one's self and/or designated members of one's family to be buried in a private grave on which a memorial headstone/vase can be placed at a later date. Each deed to have one/two living signatories at all times. Maximum ownership is restricted to 2 names.

All graves are dug to be double depth, and also allow for a maximum of 4 interments of ashes.

The ERB will be issued for a period of 100 years and can be purchased subject to the payment of fees currently prescribed by the Parish Council.

The owner of an ERB must confirm any subsequent change of address to the Parish Council to facilitate contact during the period of the ownership (100 years).

The ERB does not give the purchaser any rights over land ownership of such a grave. The land remains in the ownership of the Parish Council. However, the owner of the ERB is responsible for the maintenance of the grave and any memorial subsequently erected during the period that the right exists.

Transfer of rights

Written permission of the owner of the right must be obtained before the burial can take place. If the owner is deceased then transfer must take place before the burial of any person other than the (deceased) owner of the right can go ahead.

An essential part of the administration process should be to identify when the owner of the right is buried into the grave and arrange for the transfer of ownership to the new owner of the right shortly after this.

No written permission is required when the burial is that of the owner of the rights.

Indemnity Forms are not legal documents and should not be used. Statutory declarations can be used as an alternative.

A Statutory Declaration is very useful in the absence of legal documents such as a Grant of Probate or Letters of Administration; however, it is not an alternative to these.

If the rights are not legally transferred, the burial authority is exposed to the likelihood of legal proceedings at some point in the future.