



PORINGLAND PARISH COUNCIL

RECTORY LANE CEMETERY PORINGLAND

RULES & REGULATIONS MADE BY THE COUNCIL FOR THE MANAGEMENT OF PORINGLAND CEMETERY

Amended August 2018 to reflect closure of cemetery to new burials

Poringland Parish Council respects the rights, needs and wishes of friends and relatives of those buried within the cemetery, and has prepared these rules and regulations to ensure that the balance between the appropriate management of the space, and the wishes of relatives, is maintained. The Parish Council wishes to provide a cemetery that residents of Poringland can be proud of, without placing unnecessary restrictions on individual choice.

Poringland Parish Council requests that all visitors to the cemetery follow these regulations. The Council reserves the right from time to time to make alterations or additions to the rules and regulations. The Regulations of Her Majesty's Secretary of State, under the Burial Acts, and applicable to the cemetery are considered as incorporated within.

All funerals and cemetery administration will be under the control of the Parish Clerk to the Parish Council as the Parish Council's employee and Proper Officer. No interment or amendment to a memorial may take place without the prior written permission of the Parish Clerk or their nominated deputy.

Administration

The Parish Office is responsible for all administrative arrangements relating to the Cemetery. The Parish Office is situated at the Community Centre, Overtons Way, Poringland NR14 7WB. Telephone 01508 492182. Email clerk@poringlandparishcouncil.gov.uk. Website www.poringlandparishcouncil.gov.uk.

The office is open from 9.30am to 12.30pm Monday to Wednesday, 9.30am to 4pm Thursday and by appointment on Friday. Pre-booked appointments are available outside these opening hours. The office is closed on Saturday, Sunday and Bank Holidays.

Please be aware that Parish Council staff are not allowed to receive gratuities, tips or any other gifts.

Cemetery Opening and Access

The cemetery is permanently open to the public. Pedestrian access is permitted at all times. The riding of horses, cycles and motorcycles through and within the cemetery is strictly prohibited. No dogs allowed except guide dogs.

Motor vehicles are prohibited from entering the cemetery other than for the purposes of funerals and in connection with the erection and maintenance of monuments, grounds maintenance, otherwise than with the permission of the Parish Clerk.

Children under 12 years of age will not be allowed within the cemetery except when accompanied by a responsible adult. Visitors will be expected to observe proper decorum at all times. No persons shall be allowed to offer goods for sale or to solicit orders for the sale of any goods within the cemetery. Offenders will be liable to expulsion.

Fees and Charges

The list of fees and charges is available for inspection at the Parish Office or on the Parish website. This document forms part of the rules and regulations.

All fees and charges must be settled prior to interment or memorial work taking place. Please note that no interment or memorial work will be allowed to any grave for which an unpaid charge is outstanding.

The Parish Council may amend the fees from time to time.

Plans, Registers and Paperwork

Plans and registers are available for inspection at the Parish Office free of charge. A charge will be made for searches and transcription to be made by Parish Council staff on behalf of the applicant.

All paperwork must be returned to the Parish Clerk before an interment, or prior to the erection of a memorial. The certificate for the disposal of a body, the Coroner's Order for Burial, or the Certificate of Cremation must be received by the Clerk of the Council prior to interment.

Grave Spaces

The selection of grave spaces for ashes is at the discretion of the Parish Clerk. ~~Where possible the purchaser of a grave will be given a selection to choose from, however final decisions are made by the Clerk.~~ The Council or Clerk will determine the site of ~~unpurchased or common graves,~~ or those reserved for cremated remains.

Exclusive Right of Burial

An Exclusive Right of Burial (also known as a purchased grave) is a grave that has been purchased for a period of 100 years from the date of purchase. ~~The grave will, subject to ground conditions, be excavated to a depth which will allow the eventual interment of up to two coffin burials.~~ Cremated remains may be interred into a grave space, but only after the last coffin burial has taken place. If cremated remains are interred with no coffin burials having taken place, it is not possible for a coffin burial to take place at a later date. The interment of cremated remains in a grave space already occupied by two coffins will be at the discretion of the Parish Clerk.

Please be aware that when a grave in Poringland Cemetery is purchased, what the purchaser is actually buying is the Exclusive Right of Burial for 100 years. The purchaser is not buying the grave freehold, and will not own any land. He or she has

purchased the right to determine who may be buried in the grave, or whose cremated remains may also be interred in the grave. Exclusive Right of Burial will only be granted where there is sufficient burial space. **Update August 2018:** Due to the closure of the cemetery to new burials, owners of Exclusive Rights to grave spaces which have not yet been used may only inter ashes, or may ask for a refund of the fee paid. Where a burial has already taken place, the owner of the exclusive right or the spouse / partner of the first interment may be buried within the same grave, up to a maximum of two coffin burials per grave space.

The Deed of Grant

The Deed of Grant is an important legal document issued by the Parish Council as Burial Authority and should be kept in a safe place. Grave owners may be required to produce evidence of their Exclusive Right of Burial at the time when a re-opening interment is booked.

Grave owners are required to inform the Parish Clerk in writing of a change of address.

Possession of a Deed of Grant does not necessarily give the person in possession ownership of an Exclusive Right of Burial. Where the owner is deceased, subsequent ownership depends on whether or not the deceased person left a valid Will. Ownership of a Deed may be transferred or assigned, this process is at the discretion of the Parish Clerk and can only be carried out through the Parish Office upon presentation of the relevant documentation. Private transfers of Exclusive Rights of Burial that have not been carried out by the Parish Council will not be considered valid.

Unpurchased Graves

It is possible to arrange for a burial to take place in an unpurchased grave (sometimes referred to as a public or common grave). The rights to the grave are retained by Poringland Parish Council and unrelated burials could take place within the grave at a later date. Memorials are not permitted on unpurchased graves.

Interment

Only human remains may be interred in the cemetery.

A Certificate of the Registrar of Births and Deaths, or a Coroner's Order for the Burial, must be delivered to the Parish Clerk, or other authorised officer, prior to the interment.

Please be aware that an interment fee is charged for the opening and closing of a grave. This is charged at each opening and closing of the grave, and the level of fee is set out in the Table of Fees and Charges which accompanies this document.

A grave for which an Exclusive Right of Burial exists can only be opened and closed with the permission of the registered owner of the Exclusive Right unless the interment is to be that of the registered owner. If the registered owner has died then the Exclusive Right of Burial should be transferred. No excavation will take place unless the Parish Clerk is satisfied that the applicant is permitted to authorise the

interment within that grave.

All graves are to be excavated by persons appointed by the Funeral Director or authorised by them, and (with the exception of children's graves and those for cremated remains) are to be dug at a minimum depth of 6ft. Graves should be dug no more than 60 hours (2 and a half days) before the time of interment. Grave diggers must use boards to cross the kerbing and when on the grass. Soil from graves should be scattered on the back of the north and west bank of the new footpath. All graves should be boarded, covered and (where required) shored to ensure the safety of visitors to the cemetery. **Poringland has a high water table** and it is the responsibility of the Funeral Director to ensure that the grave is free from water at the time of interment, and to dispose of any waste water from graves in a legal manner.

Relatives are advised that from time to time, preparation equipment and soil excavated from one grave which is being readied for interment may be laid on the adjacent grave. The Parish Council will endeavour to ensure that this is for as short a period as possible. After the interment the Parish Council will ensure that the grave is clean and tidy.

Two working days notice must be given to the Parish Clerk for an interment in an earthen grave. Saturdays, Sundays and Bank Holidays are excluded. This rule may be waived in certain circumstances (eg religion), or in the case of death from epidemic or endemic disease upon medical certification.

Graves will be initially mounded and the Council will remove all grave mounds and temporary grave crosses six months after the date of interment. Graves will be levelled and turfed after six months. Grave crosses removed after six months will be kept in the Parish Office for a period of five weeks, and the grave owner will be notified of the removal and arrangements for collection.

Grave Tributes

No shrubs, plants, flowers or containers of any description may be planted within the cemetery or on any grave, nor may any shrubs, plants, grass or flowers be cut or carried away. The Council reserves the right to prune, cut down, dig up and remove any shrub, plant or flower planted without authorisation or which in their opinion has become unsightly or overgrown.

Plastic fencing, stone chippings, or any other form of unauthorised grave adornment will be removed without notice. One very small non-floral tribute may be allowed on graves at the discretion of the Parish Clerk.

Floral tributes may be placed on grave. Funeral wreaths may be placed along the length of the grave for the first three weeks after interment. After this time, tributes may only be placed at the head of the grave or on the area of the memorial plaque. Once a grave has been levelled and turfed, tributes should be placed only on the area of the base of a headstone. No tributes are permitted on the grass surrounding the headstone or plaque. Any tributes that are seen to be decaying will be removed and disposed of by the Parish Council if the owner fails to do so.

Christmas wreaths may be displayed between 1st December and 31st January, and will be removed from the beginning of February.

All waste materials are to be placed in the bin provided.

Seats, Trees and Other Memorials

Memorials in the form of the donation of seats, shrubs, trees, roses, bird boxes etc may be permitted at the discretion of the Parish Council, dependent on space, location and design.

Memorials

The right to erect a memorial is included with the Exclusive Right of Burial, for a period of 100 years, and gives the purchaser the right to erect a memorial which conforms to the Council's regulations, on the grave.

There is no obligation to erect a monument, however any monument to be erected or placed on a grave or in any part of the cemetery must receive the consent of the Parish Clerk or, in some circumstances, the Parish Council.

Poringland Parish Council operates a 'lawn' cemetery. No kerbing is permitted on graves. After six months memorials may be erected. All memorials must have the consent of the Parish Clerk, and require a cutting base which is level with the surface grass. The base will project 6" clearance all round the memorial. All headstones and memorial plaques must incorporate a flower vase. No separate grave vases will be permitted.

Before any monument is placed or erected, a drawing of the proposed inscription must be left with the Clerk for at least 7 working days to obtain the necessary approval. Permission is also necessary for additional inscriptions to be inscribed. The Parish Council reserves the right to refuse any design that is considered inappropriate. In the first instance, decisions regarding memorial design are made by the Parish Clerk. Appeal against any decision may be made to the Parish Council, whose decision will be final.

No photographs, either freestanding or incorporated within the headstone, are permitted.

All monuments must be erected according to the latest National Association of Memorial Masons Code of Working Practice, and to BS 8415. All new or re-fixed memorials must be secured using an approved ground anchor system. All monuments shall be inscribed with the grave section, row and number to which they relate on the base. No advertising is permitted.

Any question regarding the inscription or the design or material construction of a monument erected or placed shall be determined by the Parish Clerk. An application must be made to the Parish Clerk before any works to memorials are undertaken either at the cemetery or involving the removal of the memorial.

All foundations of monuments, the removal of or re-fixing of monuments and other associated work must be done under the superintendence of the Parish Clerk. Any person undertaking such work must use such means as the Clerk directs for the protection of the grass and the paths during progress of the work. Such persons shall, upon completion of the work, clear away any materials not used, or any other rubbish deposited on the site of the works to the satisfaction of the Clerk, and shall be responsible for any damage done in carrying out and completing any of the above works.

Please be aware that any memorial erected in the cemetery must be done so in a manner that ensures it is safe. Thus, all memorials being erected or re-erected must be fixed using a ground anchor or shoe system that will withstand a push/pull force of 35KG. Please be aware that all memorials erected in the cemetery are erected at the owner's risk and it is advisable to have them insured against damage. The responsibility of maintaining a memorial in a safe condition rests with the owner of the memorial.

If a monument is erected in violation of these rules and regulations the same may be requested to be removed or amended. Failure to do so may result in the Parish Council taking action to remove the monument, with the cost of such being passed to the owner of the grave.

The owner shall after erection, notify the Clerk of any change of address and keep all monuments in good and safe repair, and unless this is done the Parish Council reserve the right to cause them to be repaired or removed at the owner's expense.

The Parish Council will inspect each memorial in the cemetery at periodic intervals to ensure safety and stability, and the owner will be responsible for any repairs or maintenance. If any required work is not carried out within 3 months of the owner being notified, the Parish Council reserves the right to carry out repairs and place a charge on the grave space. This charge will be payable before any further interments or works to memorials will be authorised. In the first instance, every reasonable effort will be made to find the rightful owner of a grave space before works are commissioned.

It is the responsibility of the grave owner to keep memorials in a good, safe condition. The Parish Council cannot accept any liability for the making good of any damaged or fallen memorials.

Other Regulations

The scattering of ashes on existing graves or within the boundaries of the cemetery is not permitted. Please contact the Parish Clerk for guidance on permitted practices in relation to cremated remains.

The playing of any game or sport, or the discharging of firearms (except at a military funeral) in the cemetery is prohibited. Any person found to be committing a nuisance at any time, including any disturbance during the proceedings of any funeral, shall be liable for prosecution. The consumption of alcohol within the cemetery is strictly prohibited.

Non-compliance with the Rules and Regulations

The Parish Council in exercising its powers under these regulations will adhere to the following procedure where non-compliance with the regulations has occurred.

1. Before any action is taken with regard to any memorial that is considered to be in contravention of these regulations, the Parish Council will notify the grave holder of the Parish Council's intentions at their last known address.
2. In the case of items removed without notice, the Parish Clerk will immediately write to the last known address of the owner of the grave informing them that action has been taken. The removed item will be held in the Parish Office for a period of one month for collection.
3. The grave owner will have the right to appeal against any decision made. Any appeal should be made in writing and addressed to the Parish Clerk.
4. If the grave owner is still not satisfied with the outcome, they will be given the opportunity to have the matter considered by the Parish Council. The decision of the Parish Council is final.

The most recent version of the Rules and Regulations will be published on the Council's website and will be considered as the definitive version, superseding all previous versions.

August 2018

To understand what we do with and how we protect your personal information please see our Privacy Policy: <https://www.poringlandparishcouncil.gov.uk/privacy-statements.html>