

## **BROUGHTON ASTLEY PARISH COUNCIL**

### **BROUGHTON ASTLEY CEMETERY: ADMINISTRATIVE AND OPERATIONAL POLICY**

#### **Purchase of Exclusive Burial Rights**

1. Residents of the parish, and those who die within the parish boundary, have a right to be buried in the Cemetery subject to payment of the appropriate fee. Other non-residents may also be buried in the Cemetery subject to payment of the appropriate fee and provided, in the opinion of the Parish Manager, there is space available to accommodate them. Anyone who dies in a retirement or care home outside the parish, but who was previously resident in the parish immediately before they moved into care, will be treated as if they were still resident in the parish at the date of death.
2. In accordance with article 10 of the Local Authorities' Cemeteries Order 1977 the Parish Council may at any time grant to a resident of the parish, at the discretion of the Parish Manager and on payment of the appropriate fee, the right to bury remains in a grave or cremation plot within 100 years of the date of the deed. The Parish Manager will determine which grave or cremation plot should be allocated in liaison with the Property and Maintenance Supervisor. The purchase of Exclusive Burial Rights does not confer title to the land and therefore the grave or cremation plot remains the property of the Parish Council.
3. If the owner of the Exclusive Rights dies, it is assumed that they gave permission to have themselves interred in the grave. After this the Rights become part of their estate and may be left in a will, or assigned by their executors to someone else. If the Rights are not specifically mentioned in the will, they will form part of the 'residue' of the will, usually willed as 'and all my other worldly goods' at the end of the will.
4. Exclusive Rights may be transferred to another person on application to the Parish Council Office and on payment of the appropriate fee. The transfer will be treated as if it is a new purchase but will not alter the expiry date of the deed.
5. Exclusive Rights may be surrendered at any time, without refund of the purchase fee, on return of the deed to the Parish Council Office. If the owner of Exclusive Rights fails to notify the Parish Council Office of a change of address and cannot be contacted subsequently, the deed will be deemed to have been surrendered. Before terminating the deed the Parish Council Office will write to the last known address of the owner of the Exclusive Rights. If no reply is received within four weeks of the date of the letter the Parish Council Office will contact any known relatives who are resident in the parish to ask them to contact the owner of the Exclusive Rights. If no contact can be made within twelve weeks of the original letter to the owner of the Exclusive Rights the deed will be terminated. If contact is made after this time the deed may be restored, on its original terms, at the discretion of the Parish Manager.
6. Exclusive Rights may be purchased in respect of plots in the burial area which is reserved for babies and children; however internments of persons over the age of 10 years will not be allowed within the children's burial plot due to size of the plots.

#### **Digging of Graves and Cremation Plots**

7. The person responsible for the funeral must arrange for the relevant grave or cremation plot to be dug, and for the spoil to be removed from the Cemetery. Cremation plots may

be dug by the Property and Maintenance Supervisor on request to the Parish Council Office.

8. Graves for two people ('double graves') must be dug to a depth of a minimum of 6 feet (1.8 metres). Single graves must be dug to a depth of 5 feet (1.5 metres). Cremation plots must be dug no more than 14 inches (36 cms) square and to a depth of 16 inches (41 cms).

### **Headstones, Vases, Tablets and other Monuments**

9. The Parish Manager is responsible for ensuring that all new headstones, vases, tablets and other monuments are of a similar style, type and colour to those already erected at the Cemetery.
10. The Parish Manager is also responsible for ensuring that the inscriptions on new headstones, vases, tablets and other monuments take into account modern standards of address whilst not being prone to cause offence to others.
11. The Parish Council will not give permission or be responsible for any other dedications or trinkets placed around a grave area. In the lawned area of the Cemetery this practice is discouraged due to the difficulties caused to grounds maintenance operations, and also the potential to cause distress to other Cemetery visitors.

### ***Dimensions of monuments***

12. Burial plots:

Monuments must be no more than 3 feet (0.9 metres) in height, including the base when fixed. The base must be no more than 3 feet (0.9 metres) by 2 feet (0.6 metres).

13. Cremation plots

Memorial tablets must be no more than 18 inches (46 cms) in height. The base must not exceed 2 feet (0.6 metres) by 2 feet (0.6 metres). Flower containers must be contained within these dimensions.

### ***Erection of monuments***

14. New headstones, vases, tablets and other monuments cannot be erected until they and any inscription to be included have been approved by the Parish Manager at the time of application.
15. Should any disagreement arise following a decision made by the Parish Manager on a memorial or its inscription, the Broughton Astley Parish Council Complaints Procedure will be followed. A copy can be obtained from the parish website [www.broughton-astley.gov.uk](http://www.broughton-astley.gov.uk) or by contacting the office on 01455 285655.
16. To enable the ground to settle sufficiently approved headstones cannot be erected within 7 months of the burial, except in the case of infant burials for which headstones can be erected as soon as deemed appropriate by the Parish Manager, in liaison with the Property and Maintenance Supervisor.

### ***Maintenance of monuments***

17. The applicant, or their heirs or successors, is responsible for making arrangements for ensuring that the headstone, vase, tablet or other monument is maintained in good

condition. Where the applicant for a monument cannot be identified the relatives of the deceased are responsible for its upkeep.

18. The Parish Manager and Property and Maintenance Supervisor will undertake a condition survey each year of all headstones, vases, tablets and other monuments at the Cemetery. The condition of each headstone, vase, tablet or other monument will be categorised as:
  - Unstable - liable to collapse
  - Very poor - considerable movement, but not yet liable to collapse
  - Poor - some movement and/or considerably out of alignment
  - Average - no movement, but some degradation and some misalignment
  - Good - no degradation, movement or misalignment
19. Depending on the condition of the headstone, vase, tablet or other monument the following action will be taken:
  - a. Unstable: the Parish Council Office will arrange to have the monument repaired and will contact the person responsible for it (as defined in paragraph 9 above) to recover the costs involved. If the monument cannot be repaired it will be removed. Where the person responsible for the monument cannot be traced the cost of repair or removal will be written off to the Income and Expenditure Account.
  - b. Very poor: the Parish Council Office will contact the person responsible for the monument and seek repair/restoration within three months of the completion of the condition survey which first identified its condition as 'very poor'. If the person responsible for the monument does not complete the work required within three months the Parish Council Office will arrange to have the monument repaired and will take action to recover the costs involved. If the person responsible for the monument cannot be traced the Parish Council Office will arrange to have the monument repaired within three months of the completion of the condition survey which first identified its condition as 'very poor' and the cost of repair will be written off to the Income and Expenditure Account.
  - c. Poor: the Parish Council Office will contact the person responsible for the monument and seek repair/restoration within twelve months of the completion of the condition survey which first identified its condition as 'poor'. If the person responsible for the monument does not complete the work required within twelve months the Parish Council Office will arrange to have the monument repaired and will take action to recover the costs involved. If the person responsible for the monument cannot be traced the Parish Council Office will arrange to have the monument repaired within twelve months of the completion of the condition survey which first identified its condition as 'poor' and the cost of repair will be written off to the Income and Expenditure Account.
  - d. Average: the condition of the monument will be monitored by the Property and Maintenance Supervisor. If it deteriorates action will be taken to make it safe as set out above.
  - e. Good: no action.

## **Plaques**

20. Commemorative plaques may be affixed to the memorial wall in the Garden of Rest at the discretion of the Parish Manager and provided they do not exceed 4" (10 cms) x 2" (5 cms) in size.

### **Scattering of Ashes**

21. Ashes may be scattered on to the flower beds only. Care must be taken by those involved to ensure the ashes are not scattered onto graves or cremation plots. Care must also be taken to avoid possible distress to Cemetery visitors, whether or not they are associated with the scattering ceremony.

### **Fees and Charges**

22. Fees and Charges are reviewed by the Parish Council in November/December each year as part of the process of determining the budget and Precept bid for the coming year. Where applicable revised prices come into effect on 1 April each year.
23. Current fees and charges are published on the Parish Council's website at [www.broughton-astley.gov.uk](http://www.broughton-astley.gov.uk) Parish Services/Cemetery.

### **Grounds Maintenance**

24. The Parish Council is responsible for grounds maintenance at the Cemetery, but new graves will be allowed to settle for six months before being levelled and re-seeded with grass.
25. Advance notice will be provided in relation of any major works to be undertaken in the Cemetery by means of the Public Noticeboard at the entrance of the Cemetery. Where possible, notice will also be provided in the Broughton Matters magazine.

### **Distribution**

26. This policy will be published on the Parish Council's website (see paragraph 20) and a copy will be provided to anyone purchasing Exclusive Rights, interring remains, or seeking to erect a headstone, vase, tablet or other monument, at the Cemetery. Funeral Directors will be responsible for bringing the policy to the attention of their customers.

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