

MARKFIELD PARISH COUNCIL

CEMETERY REGULATIONS

1. In exercise of its powers under Section 214 and Schedule 26 to the Local Government Act 1972: and article 3 of the Local Authorities Cemeteries Order 1977, *Markfield Parish Council* hereby makes the following regulations for the proper management, regulation and control of Markfield Cemetery.
2. These regulations shall come into force on 8 September 2021
3. For the purpose of these regulations the Cemetery Registrar is the Parish Clerk.

1 NOTICES OF INTERMENTS

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- 1.1 Notice of interment shall be given on the appropriate Council Forms available free of charge from Markfield Parish Council or can be downloaded from the Council's website www.markfieldpc.org.uk. Written notification must reach the Council at least three working days before the interment is due to take place and must be given during the hours of 9.00 and 16.00. The Parish Office is open Monday, Tuesday, Thursday and Friday (excluding Public Holidays).
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- 1.2 Provisional arrangements for interments may initially be made by telephone and or Email. The Cemetery Registrar will determine the availability of any time or date proposed for burial. Written confirmation must follow to reach the Council as detailed above. The Council will not accept any responsibility for any error or delay consequent to any Notice being sent by post.
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- 1.3 For a grave where the Exclusive Right of Burial has been granted, the Notice of Interment shall be signed by the registered owner or his/her legal representative, and in the event of the owner being the deceased, the Grant shall be produced, where possible, together with the Notice of Interment.
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- 1.4 All charges and fees are to be paid when the Notice of Interment is given. Cheques are to be made payable to Markfield Parish Council. The Parish Council will provide invoices on request. Payment by bacs is also acceptable. Payments should be made to Barclays Bank (sort code 20:49:11 account number 70697087 account name Parish Council of Markfield

2. INTERMENTS

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- 2.1 All interments will take place on weekdays or Saturdays (excluding Public Holidays), and will wherever possible take place between 09.00 and 15.30 (time of arrival at the Cemetery). Internments on Sundays are not allowed.
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- 2.2 Only coffins made of wood or other perishable material are to be used.
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- 2.3 The interment in common graves of non-residents is not permitted.
- 2.4 Funeral Directors shall come under the direction of the Council's representative on entering the cemetery. They must provide sufficient bearers for carrying and lowering of coffins into graves.
- 2.5 Funeral Directors must arrange, where necessary, for memorials to be removed to allow graves to be reopened, and for the reinstatement of memorials following the interment.
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3 CORONER'S ORDERS AND CERTIFICATES OF DISPOSAL

- 3.1 No interment can take place until a Registrar's Certificate for Disposal, or a Coroner's Order for Burial has been received by the Cemetery Registrar or alternatively an appropriate Statutory Declaration has been completed. (*Section 1, Births & Deaths Registration Act 1926*).
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4 OFFICIATING MINISTERS

- 4.1 Arrangements with the Officiating Minister shall be made by the relatives or the Funeral Director, and the Council cannot accept any responsibility in connection therein. However, the name and address of the person officiating must be notified to the Cemetery Registrar when the Notice of Interment is given.
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5 SELECTION OF GRAVES AND CREMATED REMAINS PLOTS

- 5.1 Grave spaces and cremated remains plots will be utilised as determined by the Council, except for those selected by the purchaser of the Exclusive Rights of Burial. Selection of grave spaces and plots is subject to the approval of the Cemetery Registrar, but the wishes of applicants will be met as far as practicable, within the areas available for use at the time.
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6 DEPTHS OF GRAVES

- 6.1 The depth to which graves will be excavated for interments shall be in accordance with Part 1, 2nd Schedule, to the 1977 Cemeteries Order.
- 6.2 In normal circumstances, graves will be dug to accommodate two interments.
- 6.3 Cremated remains plots will normally accommodate 4 caskets or urns to be placed at an appropriate depth.
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6.4 All graves are to be dug by gravediggers appointed by the funeral directors who will be responsible for the standard of workmanship and will be liable to make good any damage that occurs as a result of the actions of the gravedigger.

7 SIZES OF PLOTS *(metric equivalents are approximate)*

7.1 New grave spaces will be available for up to two interments (coffin burials) and measure nine feet (2.7m) by four feet (1.2m). In addition, up to 2 urns or caskets containing cremated remains may be interred in a grave space.

7.2 Cremated remains plots may accommodate a maximum of four caskets or urns, and measure two feet by two feet (600 mm by 600 mm).

8 VAULTS

8.1 There is no provision for interment in vaults at Markfield Cemetery.

8.2 There is no provision for interment in walled graves at Markfield Cemetery.

9 PURCHASE OF EXCLUSIVE RIGHTS OF BURIAL

9.1 The Exclusive Right of Burial for any vacant grave may be purchased for a maximum period of 100 years. Rights for cremated remains plots may be purchased for a maximum period of 100 years. Whilst such purchases are not restricted to the residents of the Parish of Markfield, for those outside this area, additional charges will be made. (See the Table of Fees and Charges).

9.2 Subject to availability, the Exclusive Rights of Burial for grave spaces or cremated remains, may be purchased 'in reserve' for future use.

9.3 Where any interment is not that of the owner of the Exclusive Right of Burial, the written consent to the opening of the grave must be made by the owner on the Notice of Interment. No body shall be buried, or cremated remains interred in any grave until the written consent of the owner has been obtained.

9.4 After the interment of the owner of an Exclusive Right of Burial, the personal representative must produce Probate of the Will of the deceased person, or Letters of Administration to the Estate, or other evidence the Council requires, so that the change of ownership can be registered. No further interments may be accepted, and no applications to place, or add any inscription to, a memorial may be considered until the Exclusive Right of Burial has been transferred. This restriction also applies where the memorial or additional inscription refers to the deceased owner.

9.5 Owners of an Exclusive Right of Burial shall not under any circumstances dispose of the rights without the consent in writing of the Council. The Deed of Grant of Exclusive Right

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of Burial shall be considered to form part of the personal estate of the grantee and may be assigned in their lifetime or bequeathed by Will. Every such assignment or Probate of Will shall be produced to the Council to be registered by the Cemetery Registrar.

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- 9.6 The grant of Exclusive Right of Burial to any person shall not prevent the Council or its servants from passing over, placing materials or equipment upon, or maintaining the surface of any grave or plot in the course of cemetery management.
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10 MAINTENANCE OF GRAVE SPACES

- 10.1 Whenever a burial takes place in the Cemetery, the grave will be filled with earth and, after a period of time to allow for natural subsidence, the surface shall be covered with topsoil and seeded or covered with turf.
- 10.2 Nothing may be placed on the grassed area of the grave, except on the day of the funeral, when flowers and wreaths may be placed on the grave. However, the staff at the cemetery will remove all dead flowers and wreaths approximately one week after the funeral has taken place.
- 10.3 Owners of graves may place flower containers on graves, provided that they are of a durable material and that they do not exceed one foot (300 mm) in height and three in number. Containers made of glass, wood, plastic or fibreglass are not considered durable material and are not permitted. Temporary planting on graves is permitted whilst arrangements are being made for the erection of a memorial. ***Shrubs or bushes, including roses, are not permitted.***
- 10.4 No surrounds whatsoever are permitted on any grave.
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11 MAINTENANCE OF CREMATED REMAINS AREAS

- 11.1 Owners of cremated remains plots may place flower containers on plots, provided that they are of a durable material and that they do not exceed one foot in height.
Containers made of glass, wood, plastic or fibreglass are not considered durable material and are not allowed. Owners should ensure that items placed on plots do not encroach onto, or limit access to, neighbouring plots. The Council reserves the right to remove, or require the owner to remove, any item which encroaches on or affects access to other plots, or in any way constitutes a risk to public safety.
- 11.2 Temporary planting on graves is permitted whilst arrangements are being made for the erection of a memorial. ***Shrubs or bushes, including roses, are not permitted.***
- 11.3 No surrounds whatsoever are permitted on any cremated remains plot.

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12 COMMEMORATION AND MEMORIALS – GENERAL

12.1 Memorials may only be erected over grave spaces and cremated remains plots for which the Exclusive Right of Burial has been granted and are not permitted on Public Graves. Grave or plot owners wishing to place a memorial must make application as detailed below to the Cemetery Registrar. The necessary work to place the memorial may only take place after approval by the Cemetery Registrar.
(Most local masons keep a supply of application forms).

12.2 All memorials shall be constructed from durable stone, marble or granite. Memorials of soft stone or wood are not permitted. (But see paragraph 12.5 regarding temporary memorials).

12.3 All memorials remain the responsibility of the registered owner. The Council cannot accept any responsibility for any damage or breakage which may occur. Owners are encouraged to seek independent advice regarding insurance cover for memorials. Your mason should be able to advise on memorial insurance.

2.4 Applications to erect a memorial, or to carry out any work on an existing memorial, must be made to the Cemetery Registrar, together with the appropriate fee. (Memorial Application Forms are available from the Cemetery Registrar or can be downloaded from the Council's website). Stonemason wishing to carry out any work in the Cemetery ideally should be BRAMM Registered and adhere to the BRAMM Accreditation Scheme. Such applications must provide the following information:

1. a) A dimensional drawing or illustration of the proposal.
2. b) Details of the landing or foundation (where appropriate).
3. c) A copy of every proposed inscription.

12.5 Provided that it is the owner's intention to make an application for the placement of a permanent memorial on a grave in accordance with the Regulations, it is permissible to place on a grave space for which the Exclusive Rights of Burial have been granted, a temporary memorial provided that it complies with the following specifications

1. a) The temporary memorial shall be in the shape of a simple cross and shall be constructed of hardwood.

1. b) The dimensions shall be as follows (*metric equivalents are approximate*):

Cross Section: Between one inch (25 mm) and three inches (75 mm).

Height: Between one foot (300 mm) and three feet (900 mm) from ground level to the top of the cross, with no more than one third of the overall height below ground level

Width: No greater than two feet six inches (750 mm)

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1. c) If the condition of the temporary memorial deteriorates the provisions of regulation 12.9 will apply.

1. d) Temporary memorials shall be replaced by permanent memorials within nine months from the date of the interment, unless specific written authority is obtained from the Council to extend this period.

12.6 Every memorial must have the grave or plot number conspicuously marked on it, at the applicant's expense, in permanent lettering not exceeding one inch (25mm) high but no inscription and/or pictures/photos will be permitted on the back.

12.7 In respect of graves, vases of an approved design and material may only be placed adjacent to existing headstones. In such instances, ***written permission from the Council must be received before any vase may be placed on any grave space.*** Applications should be made on the Memorial Application Form and forwarded to the office of the Cemetery Registrar. Please note that vases placed on grave spaces must not encroach onto adjacent plots.

12.8 All memorials are to have a sufficient foundation constructed of concrete or stone. Each headstone must be fixed to its base by means of copper or galvanised dowels, or joggled to ensure stability and be fitted with a ground anchor by a BRAMM registered stonemason.

12.9 All memorials are to be kept in good repair. The Council reserves the right to remove, or require the owner to remove, any memorial which is not maintained in an adequate or safe condition.

12.10 All memorials removed in order to allow additional interments to take place, shall be removed from the Cemetery. The responsibility for the correct removal and replacement lies with the owner of the Exclusive Rights of Burial, or with the person who requested the interment.

12.11 No double headstones, double vertical or double memorials are allowed in the cemetery.

12.12 Memorials placed on traditional graves must not exceed 3ft x 2ft 6ins x 6ins (including the plinth and base). Memorials placed within the cremated remains section must not exceed 18ins x 15ins x 2ins (including the plinth and base).

12.13 No kerb stones or loose decorative stones are permitted.

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GARDEN OF REMEMBRANCE

13.1 An area of the Cemetery has been set aside for Cremated Remains to be placed, where it is not the wish of relatives to inter a casket in the designated Cremated Remains sections.

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13.2 Cremated Remains may be buried below the surface of the soil, provided that those Cremated Remains so buried are not enclosed in any form of container.

13.3 Any memorial plaque placed in the Garden of Remembrance shall be of bronze, be mounted on a metal spike not exceeding 15 inches (380 mm) in length and shall not exceed 6 inches (150 mm) in width and 4 inches (100 mm) in height.

13.4 Only plaques conforming to an approved design and bearing an inscription approved by the Council will be permitted. Advice on approved designs can be obtained from the Cemetery Registrar.

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MAINTENANCE OF GOOD ORDER

14.1 All persons are to conduct themselves in a quiet and orderly manner. Children under the age of 10 years may only be admitted if accompanied by a responsible adult, and no person in a state of intoxication shall be allowed access. The playing of any game or sport is prohibited. (*Article 18, 1977 Cemeteries Order*).

14.2 Except for guide dogs, no animals are to be allowed into the cemetery.

14.3 Smoking in the vicinity of a grave or cremated remains plot whilst an interment is taking place is not permitted.

14.4 All vehicles entering the cemetery may not exceed 10 miles per hour and must use the designated parking areas. Access for vehicles to other areas of the cemeteries is not allowed unless prior permission has been granted by an Officer of the Council. The person in charge of any vehicle is to be liable for the cost of making good any damage that may occur.

14.5 Where possible, all materials or tools to be brought to the grounds should be carried by hand, or in such a manner that will avoid damage to roads or paths. No trade vehicle shall remain in the cemetery longer than is necessary for loading or unloading.

14.6 No memorial shall be installed or other work carried out unless an appointment has been made with the Cemetery Superintendent or other Officer of the Council.

14.7 Soliciting orders within the Cemetery for the erection or repair of memorials, or for any other work, is strictly prohibited.

14.8 Reports of any incivility, or breach of the regulations, should be passed to the Cemetery Registrar, or to a member of the Cemetery staff.

14.9 Please note that Council employees are not permitted to accept any gratuities.

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- 14.10 Scattering of Cremated Remains on graves or in any part of the Cemetery is prohibited without the consent of the Cemetery Superintendent
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By Order of the Council