

## **ST GERMANS PARISH COUNCIL**

Chairman Councillor Mrs Patricia Pipe  
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### **St Germans Burial Ground Rules and Regulations 2021-22<sup>1</sup>**

St Germans Parish Council respects the rights and needs of the individual and has therefore prepared rules and regulations with a balance that will enable us to manage St Germans Burial Ground effectively and maintain the highest possible standards without placing unnecessary restrictions on individual choices.

This Council aims to provide the highest possible standards of care, choice and dignity to those who suffer bereavement and to create and maintain an environment where the bereaved can pay their respects and remember loved ones in the way they feel most appropriate.

To assist with this, the Parish Council requests that all visitors follow our rules and regulations. Please be aware that we reserve the right to change these rules and regulations from time to time and that compliance with any changes is required.

#### **Administration**

All funeral and cremation administration is carried out by the Parish Council. Please see above for the contact details.

#### **Burial Ground Opening**

The burial ground is open to the public 24 hours a day, 7 days a week. This Council reserves the right to make closures as may be necessary for repairs or in the interests of public safety, at any time.

#### **Children**

For safety purposes, no person under the age of 16 is allowed in the burial grounds unless accompanied and supervised by a responsible adult.

#### **Dogs**

No dogs are allowed except registered guide\assisting dogs.

#### **Alcohol**

The consumption of alcohol is not permitted in the burial ground.

#### **Games**

The playing of ball games or riding of skateboards or bicycles is not permitted in the burial grounds.

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<sup>1</sup> Adopted by Full Council at the meeting held on Monday 29 March 2021 under minute number 8.1. To be reviewed February 2022.

### **Fees and charges**

These are available from the Parish Council office. Please be aware that we reserve the right to change the fees and charges from time to time and that compliance with any changes is required.

### **Interments**

1.	All enquiries shall be made to the Clerk of the Council during office hours.
2.	Under no circumstances is a grave or urn space to be opened or re-opened without the express permission of the Parish Council.
3.	Whenever possible, application should be made at least seventy-two (72) hours before the proposed day of interment. The completed and signed Notice of Interment shall be returned to the Parish Council as soon as possible, together with the Burial Certificate, Parts B and C and payment of the appropriate fee(s).
4.	In all cases of first interment, grave spaces will be allocated by the Parish Council, except where an Exclusive Right of Burial has been previously purchased for the deceased and is still valid.
5.	Urn spaces will be allocated by the Parish Council, except where an Exclusive Right of Burial has been purchased for the cremated remains of the deceased and is still valid.
6.	The interment of a body or cremated remains in the Burial Ground shall take place only between the hours of eleven (11) o'clock in the forenoon and four (4) o'clock in the afternoon from the first (1 <sup>st</sup> ) day of April to the thirtieth (30 <sup>th</sup> ) day of September, and between the hours of eleven (11) o'clock in the forenoon and three (3) o'clock in the afternoon from the first (1 <sup>st</sup> ) day of October to the thirty-first (31 <sup>st</sup> ) day of March on weekdays; these being the prescribed hours for burial.
7.	Every person intending to bury a body in the Burial Ground at any other hour than those set out in Regulation 6, or on a Sunday, shall be allowed to do so, provided suitable arrangements have been made with the Parish Council and the Chaplain, Clergyman or Minister, or the other person who is to officiate at the funeral.
8.	Each first interment shall not be less than 2mtrs 30cm in depth, except for a child under twelve (12) years of age when 170cm shall suffice, and for a single depth grave 183cm.
9.	A grave space for the burial of persons above twelve (12) years of age shall be at least 244cm x 122cm and those for the burial of children under twelve (12) years of age shall be at least 138cm x 122cm.
10.	Funeral Directors are required to use only grave diggers from the Parish Council's approved contractors list (see Appendix One). Funeral Directors will bear the cost of the digging of grave and/or urn spaces.
11.	To be on the approved list of contractors, grave diggers must have a Health and Safety policy and supply the Parish Council with a copy of their current Public Liability Insurance.
12.	Grave diggers must comply with the ICCM Code of Safe Working Practice on burial procedures, particularly on backfilling graves and must ensure the safety of all staff, contractors and visitors to the cemetery as a result of their work.
13.	Funeral Directors are responsible for ensuring that grave diggers work in a responsible and safe manner and observe the Health and Safety legislation and Codes of Practice in force at the time of excavation. All excavations must be shored up as early as possible and if left unattended for any period of time boarded up and appropriately guarded, ideally with a locking chamber.
14.	The Funeral Director is responsible for the grave until it has settled; should

	subsidence occur, the Funeral Director will be notified. If remedial work has not been completed within a reasonable period of time, then the Council may engage its own contractor and seek to recover the cost from the Funeral Director.
<b>15.</b>	The approved Contractor will invoice the Funeral Director for their work.
<b>16.</b>	Where there is open ground adjacent, or in close proximity, to the grave space to be opened or re-opened, the excavation spoil shall be deposited on that open ground and not on adjacent graves. Where the grave is to be opened or re-opened is surrounded by other graves with no open ground in close proximity, the excavated spoil may be deposited on adjacent graves, provided that these are suitably protected from damage.
<b>17.</b>	Before a grave or urn space is excavated, the turf is to be removed and set aside. Immediately following an interment, the grave digger is required to ensure that: <ul style="list-style-type: none"> <li>(a) the grave space is infilled to a minimum depth of thirty (30)cms, and urn spaces fifteen (15) cms, above ground level</li> <li>(b) the turf is replaced on the infilled space after an interment</li> <li>(c) surplus soil is removed from the Burial Ground and</li> <li>(d) the area surrounding the space is left in a neat and tidy condition.</li> </ul>
<b><u>Exclusive Rights of Burial</u></b>	
<b>18.</b>	By Article 10(6) of the Local Authorities Cemeteries Order 1977, no body must be buried, or cremated remains interred or scattered, in or over any grave or vault in which an exclusive right of burial for the time being subsists except by, or with the consent in writing of, the owner(s) of the right.
<b>19.</b>	A grave or urn space may be reserved by applying in writing to the Parish Council for the purchase of a Grant of Exclusive Right of Burial for 50 Years. The fee will be as that existing at the date of application with a further fee payable on the interment (at the fees at that time). 50 years commences from the date of purchase. (If a double plot is purchased then up to 2 grantees will be permitted).
<b>20.</b>	A Grant of Exclusive Right of Burial may be extended for a further period by the grantee applying in writing to the Parish Council before the expiry date of the existing grant. The fee shall be as that existing at the date of application. Upon expiration of a Grant, or an extension thereto, all legal rights to the grave revert to the Parish Council.
<b>21.</b>	The Grant of Exclusive Right of Burial for 50 Years is a legal document leasing the grave or urn space to the purchaser, (the grantee) who is required to notify the Parish Council of any change of circumstances, e.g. change of address or telephone number, details of the person who holds the Lessee's Power of Attorney, the transfer of the Grant, the death of the Lessee etc. Please note ownership of Exclusive Rights does not imply ownership of the land itself or the right to carry out any particular activity on the grave plot. The ownership of the cemetery land including the grave surface remains with St Germans Parish Council.
<b>22.</b>	The Parish Council reserves the right to inter a body or bodies in a grave, either where a Grant of Exclusive Right of Burial was not purchased, or where an Exclusive Right of Burial, or an extension thereto, has expired, not sooner than 25 years from the date of the last interment therein.
<b>23.</b>	Transferring of Exclusive Rights of Burial may be assigned by Deed or bequeathed by Will for which sight of a legal document is required by the Council. A Form of Assignment is issued by the Council at the time of purchase of the Exclusive Rights of Burial. Further information regarding the procedure for the transfer of ownership during the life of the registered owner can be obtained from the Council Office.

## Memorial Tablets

1.	Under no circumstances is a memorial tablet as enumerated in these Regulations to be brought into, or removed from, the Burial Ground without the express permission of the Parish Council.
2.	An application form for all proposed memorials and inscriptions must be submitted to St Germans Parish Council for approval and all appropriate fees paid, prior to any works being undertaken on site. This form will usually be submitted by an accredited Memorial Mason and should include measurements of the memorial.
3.	All stonemasons need to be accredited by either NAMM or RQMF (BRAMM).
4.	The responsibility for the safety and upkeep, including repairs to any gravestone or memorial remains solely with the owner(s) of the grave or their successor(s) in title and the Council recommends that grave owners obtain a guarantee from the Memorial Mason for all work they carry out and arrange for the Memorial Mason to check the memorial for defects every 5 years.
5.	Repairs to memorials are to be carried out by an accredited Memorial Mason. An application for permission to carry out repairs should be submitted to St Germans Parish Council.
6.	A flat Memorial Tablet only is permitted on a grave or urn space and shall not exceed the dimensions given in the Schedule of Fees, or take any form or design other than that laid down and approved by the Parish Council. A standard stone vase no larger than 23cm x 23cm is the only other item of grave furniture permitted and the Parish Council reserves the right to remove, and dispose of, glass flower containers. <b>Memorial Tablets on grave spaces shall not exceed 60cm x 60cm in size</b> and only 1 Memorial Tablet shall be permitted on each grave space. <i>(The Parish Council will however, consider individual requests for more than one Memorial Tablet.)</i> <b>Memorial Tablets on urn spaces should not exceed 46cm (wide) x 30cm (long).</b>
7.	Permission for a Memorial Tablet, and/or a stone vase, shall be given on condition that they are placed, and remain in situ, at the owners' sole risk and that St Germans Parish Council shall not be held responsible for any damage or breakage which may occur to the same.
8.	The Parish Council would prefer grave and urn mounds to remain undisturbed for a period of eighteen (18) months from the date of the interment to allow for settlement. However, a memorial tablet and/ or a stone flower vase may be placed on the grave or urn mound during that period, on condition that only the minimum amount of spoil is removed to create a level platform and that the displaced soil is either dispersed over the remainder of the grave mound or removed from the Burial Ground.
9.	After the elapse of the aforesaid eighteen (18) month period, the grave or urn mound may be levelled. If this is undertaken by a Monumental Mason, the works shall be as specified by this Parish Council.
10.	Fees for Memorial Tablets shall be paid within seven (7) days of the date of application.
11.	The Council does not accept any liability in the event of the memorial being vandalised.
12.	Pursuant to the Local Authorities Cemeteries Order 1977 the Parish Council reserves the right to remove any unauthorised memorial.
13.	Any unauthorised work is undertaken at the persons' own risk.

### **Opening of Adjacent Graves**

When a grave is prepared the excavated soil is placed to the side of the grave. If there is unused land to the side of the grave then the soil will be placed there. However, when opening a grave between two existing graves, it may be necessary to place the soil on one of the adjacent graves. The surface of the grave will be protected by boards and the soil removed will be placed on the boards, but after the burial has taken place, the whole area will be cleared and left in a neat and tidy state.

### **General**

1. All cheques, postal or money orders in payment of fees shall be made to **St Germans Parish Council** or to pay on-line please contact the Parish Clerk for details. ([clerk@stgermansparishcouncil.gov.uk](mailto:clerk@stgermansparishcouncil.gov.uk) )
2. Please dispose of all litter in the bins provided, (situated by the entrance gates).
3. Graves may be ornamented with flowers or wreaths, subject to the right of the Parish Council to remove any of the same which appear to not to comply with these Regulations or current legislation.
4. The planting of trees, shrubs or flowers in a grave or urn space is not permitted.
5. The Parish Council reserve the right to remove and dispose of anything other than a stone vase and its contents.
6. Wooden crosses are permitted as temporary grave markers until such time as you decide to place a permanent memorial, then the temporary grave marker should be removed.
7. There are 2 water butts; 1 by the entrance and the other at the far end of the burial ground (to the right of the shed).

**By Order of St Germans Parish Council**  
**Dated – 29 March 2021**

**Appendix One**  
**List of approved Contractors**  
Duchy Cemetery's Ltd  
Mr Allan Roberts