

Information Correction

If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact: theparishclerk@bartonleclay-pc.gov.uk

Information Deletion

If you wish Barton-le-Clay Parish Council to delete the information about you, please contact: theparishclerk@bartonleclay-pc.gov.uk

Please note: Barton-le-Clay Parish Council has a legal obligation to retain the personal details of owners of Exclusive Rights and Registrar consent for burial. This also includes cemetery information detailing the names of those buried or to be buried in the future within its burial grounds.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact: theparishclerk@bartonleclay-pc.gov.uk

Rights Related to Automated Decision Making and Profiling

Barton-le-Clay Parish Council does not use automated decision making or profiling of personal data.

To Sum Up

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified.



BURIAL GROUND REGULATIONS Funeral Directors & Stone Masons



BARTON-LE-CLAY PARISH COUNCIL
1 Windsor Parade, Windsor Road, Barton-le-Clay,
Bedford, MK45 4NA

Telephone: 01582 883990

Email: theparishclerk@bartonleclay-pc.gov.uk

Website: www.bartonleclay-pc.gov.uk

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13.0 REVOCATION

All other regulations for the Burial Ground previously made by the Council are hereby evoked. The Council reserves the right at any time to vary these Regulations.

14.0 FEES AND CHARGES

The fees and charges are reviewed annually. All fees should be paid in advance except when paid by account.

15.0 FREEDOM OF INFORMATION

In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's website www.bartonleclay-pc.gov.uk

16.0 BURIAL GROUND PRIVACY STATEMENT

Purchase of Exclusive Rights Privacy Notice

When you purchase the Exclusive Right to a single or joint cemetery plot. The information you provide (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible to contact you and to respond to your correspondence, provide information, send invoices and receipts relating to your burial plot/s. Your personal information will not be shared with any third party without your prior consent.

The Councils Right to Process Information

GDPR Article 6 (1) (a) (b) and (c) (Data Protection Act 2018)

processing is with consent of the data subject

or

processing is necessary for compliance with a legal obligation

or

processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract

Information Security

Barton-le-Clay Parish Council cares to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and relevant policies.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted.

Your Rights

Access to Information

You have the right to request access to the information we have on you. You can do this by contacting our Data Information Officer:
email: theparishclerk@bartonleclay-pc.gov.uk

12.0 MEMORIAL SIZES

All memorials to be installed on a concrete foundation with NAMM or BRAMM approved fixings to conform to current regulations

12.1 Full Burial Graves – maximum sizes:

Headstone including plinth/base. The plinth/base must be constructed of complementary material to the headstone

Height 3' x Width 3' x 18" depth. Maximum thickness of headstone - 6"

Vases/Tablets/wedge plaques

To be placed on a concrete foundation or within a surround and to be no more than:

Vases - Height 15" (37.5cm) x Width 15" x Depth 15"

Tablets/flat stone - width 12" (30cm) x length 19" (47.5cm) x height 2" (5cm)

Wedge style plaques - Width 12" (30cm) x Length 19" (47.5cm) x Height 2" (5cm) rising to a maximum of 4" (10cm)

12.2 Garden of Rest Graves – maximum dimensions

Headstone (including plinth/base)

Height 20" (50cm) x Width 18" (45cm) maximum thickness of headstone 3" (15cm)

The plinth/base must be constructed of complementary material to the headstone and shall not exceed width 19" (47.5cm) x depth (front to rear) 12" (30cm)

Garden of Rest memorials should be laid horizontally flush with the grass, maximum sizes as below.

Tablet/flat stone - 12" (30cm) deep, 19" (47.5cm) wide

Wedge style plaques are permitted within the Garden of rest size: length 19" (47.5cm), width 12" (30cm) depth 2" (5cm) rising to maximum height of 4" (10cm)

Flat stone plaque: size length 12" (30cm) width 12" (30cm)

12.3 Ashes Memorials within full burial plots: a flat stone plaque maximum size length 12" (30cm) width 12" (30cm) to be installed at ground level as directed by the Council's representative.

INTRODUCTION

The Parish Council owns and maintains the Burial Ground located at the end of Church Road. The Burial Ground is fortunate to be situated in an Area of Outstanding Natural Beauty (ANOB) and within the Conservation Area.

The first recorded burial was in 1940, and the site offers traditional burial graves and an area for cremated remains interments. There is no provision for scattering of ashes anywhere on the site.

To ensure that the Burial Ground remains a pleasant, peaceful area for all, visitors are asked to observe the rules and regulations which are set out in this booklet.

Opening Times - The Burial Ground will be open to visitors:

1 April to 30 September 8.00 am to 8.00 pm

1 October to 31 March 8.00 am to 5.00 pm

The Council reserves the right to close the Burial Ground or vary the opening times without notice.

ADMINISTRATION

All matters relating the Burial Ground are administered by the Parish Office. Should you have any queries please contact the Clerk:

Barton-le-Clay Parish Council

1 Windsor Parade

Windsor Road

Barton-le-Clay

Bedford MK45 4NA

Telephone: 01582 883990

Email: theparishclerk@bartonleclay-pc.gov.uk

Website: www.bartonleclay-pc.gov.uk

Office opening hours for drop ins are Monday–Friday 10am–12noon. Telephone enquiries can be made between 9.30am–2.30pm Monday to Friday.

Any unauthorised entry when the Burial Ground is closed to the public contravenes The Local Authorities' Cemeteries Order 1977, Section 18(2).

All persons entering the Burial Ground will be subject to the rules and regulations detailed in the Regulations applicable at the time.

The Parish Council reserves the right to amend any of the foregoing Regulations and to deal with any circumstances or contingency not provided for, as necessary.

Information and copies of these Regulations, Forms and the Burial Ground Fees may be obtained free of charge from the Parish Council Office.

In compliance with the Disability Discrimination Act 1995, copies of this document in large print (A3 format) or larger font size can be made available for those with a visual impairment on request from the Parish Clerk.

1.0 GENERAL

- 1.1 Everyone is welcome to visit the Burial Ground, and we ask that all visitors treat the Burial Ground with respect.
- 1.2 Watering taps and cans are available at various points in the Burial Ground. Please return the watering can to the tap after use and ensure that the tap is fully turned off.
- 1.3 Bicycles, skateboards or other similar machines are not permitted in the Burial Ground.
- 1.4 Subject to the provisions of the Byelaws with respect to the Burial Grounds, all dogs must be kept on leads when within the Burial Ground and any fouling should be removed immediately.
- 1.5 Visitors are requested to refrain from smoking/vaping near to where a funeral or religious service is taking place and to dispose of cigarette ends in a proper manner.
- 1.6 Any person found vandalising any part of the Burial Ground or desecrating any grave plot will be liable for prosecution by the Council under the provisions of the Local Authorities' Cemeteries Order 1977.
- 1.7 Children under 12 years of age are not permitted in the Burial Ground except under the care and supervision of a responsible adult.
- 1.8 Please help us to keep the Burial Ground tidy by using the litter bins provided. The disposal of soil is not permitted. No fly tipping.
- 1.9 The scattering of cremated remains is not permitted over any grave, memorial or anywhere within the Burial Ground.
- 1.10 We understand that you may wish to tend the grave. Low level planting is permitted on full grave spaces. Roses, shrubs and trees are not permitted on any grave space.

Planting is not permitted on Cremated Remains grave spaces and flowers etc. should be contained within a temporary vase following interment, or in a flower container once the memorial has been erected.

Grass mowing and strimming is undertaken by the Councils contractor regularly during the growing period. We would ask that visitors do not place items outside of the grave space, to enable our contractor to carry out their work. Hedge cutting is carried out annually during the winter months.
- 1.11 For safety reasons, **stone or glass chippings are NOT permitted anywhere within the grave space.** Below ground surrounds on full graves are considered on a case-by-case basis and requests should be made to the Parish Clerk for committee consideration. Should a surround be installed without the relevant permission, the grantee will be asked to remove it at their own cost. Surrounds of any type are not permitted on cremated remains grave spaces.
- 1.12 Ornaments or decorations (solar lights or other glass-based receptacles, windmills, flags and alcoholic tributes) are not permitted unless approval has been granted by the Parish Council. **Glass items of any kind are not allowed in the Burial Ground because of the safety risk if damaged.**

11.0 BURIAL GROUND PLOTS

- 11.1 **Kerb sets are NOT permitted.**
- 11.2 Below ground surrounds are considered on a case-by-case basis. Requests should be submitted to the Parish Clerk for consideration and no work should take place until permission has been granted. Should any work take place before permission has been granted, the Grantee will be asked to remove the surround.
- 11.3 **For safety reasons, stone or glass chippings are NOT permitted anywhere within the grave space.**
- 11.4 Double burial plots are suitable for 2 full burial interments, the dimensions of which should not exceed the following measurements:- 8' x 3' 6" (240cm x 105cm). A double plot is also suitable for 1 full burial (at double depth) and a maximum of 6 interments of cremated remains (maximum casket/container size: 18"x12"x12" (46cmx30cmx30cm) at single depth. Once burial plots are re-opened for ashes interments, no further full coffin burials will be permitted.
- 11.5 Single burial plots may also be purchased for the interment of cremated remains only, in which case a maximum of 6 interments within approved casket/container of a maximum size 18"x12"x12"(46cm x 30cm x 30cm) may take place. The location of each interment within the plot will be directed by the Council's representative.
- 11.6 **Grave Depths**

A body shall not be interred in a grave in such a manner that any part of the coffin is at a depth less than three feet below the level of the surface of the ground of the grave space, nor shall the cremated remains of a body be interred in a grave in such a manner that any part of the casket/container is at a depth of less than one foot below the level of the ground of the grave space.

The minimum depth of a grave shall be 4' 6" (135cm) for one interment, 6' 6" (195cm) for two interments.

- 9.18 Every grave in respect of which an Exclusive Right of Burial has been granted, and any monument or memorial thereon must be kept in good repair by the owner. In the event that a memorial becomes dangerous, defective or illegible from want of repair or neglect, the Council may, in accordance with the powers and procedures set out in Article 16(2) and Schedule 3 of the Local Authorities' Cemeteries Order 1977, give notice to the owner(s) requiring them to repair or remove the memorial, and if, after the expiration of notice, the owner(s) has failed to repair or remove the defective or dangerous memorial then the Council reserves the right to lay flat or remove unsafe memorials at its discretion, if the owner or successor cannot be found or refuses to arrange repairs.
- 9.19 Notice to have repairs executed will be sent to the owner where contact details are known. In cases where the name and/or address of the owner is not known, a notice shall be deemed to be properly served if placed upon the grave space, monument or memorial. If the necessary repairs are not carried out within six months of the date of the notice, then the memorial may be removed and disposed of by the Council.
- 9.20 All headstones/memorials will be subject to stability testing, in-line with current NAMM guidelines, not less than once every five years or if it is suspected that the stone may be unsafe. Those headstones/memorials which fail a stability check must be made safe by those means and timescales stated by the Parish Council. Should a headstone/memorial continue to pose a health and safety risk the Council reserves the right to lay the stone flat within the confines of the grave space.
- 9.21 The Council will not undertake to keep clean or maintain memorials.
- 9.22 Memorials in the form of the donation of seats, shrubs, trees, roses, bird boxes, etc may be permitted at the discretion of the Council and the scheme at that time.

10.0 GARDEN OF REST PLOTS

- 10.1 A Garden of Rest has been designated by the Council for the interment of cremated remains. Plot sizes within the Garden of Rest are 2' x 2' (60cm x 60cm).
- 10.2 Remains shall be buried in a casket or container, approved by the Council, of a maximum size 18"x12"x12" (46cm x 30.5cm x 30.5cm) in a plot, the position of which shall be determined by the Council. Caskets/containers are to be interred to a depth of 18" (45cm).
- 10.3 Plots are able to hold a maximum 2 single caskets/containers of cremated remains, or one double casket/container only.
- 10.4 A minimum period of six months should elapse between the interment and the erection of a memorial.

Action will be taken by the Parish Council to monitor and maintain these provisions and the Council reserves the right to remove unauthorised items. The Council accepts no responsibility for the security of any personal or decorative items left on the grave.

- 1.13 Broken or damaged wreaths, shall not be allowed to remain on any grave and the Council shall be at liberty to remove them if the owner fails to do so. All dead floral tributes will be removed from graves at the Council's discretion if the owner first fails to do so.
- 1.14 No shrubs under the Councils maintenance shall be cut down or carried away. The Council reserves the right to prune, cut down or remove any shrub, plant or flowers on a grave or elsewhere within the Burial Ground where, in the opinion of the Council, they have become unsightly, overgrown or dangerous.
- 1.15 Musical instruments or other sound producing device are not allowed except as an integral part of a funeral service or an event approved by the Clerk.
- 1.16 No memorial will be allowed unless the Exclusive Right of Burial has been purchased, or Burial Rights have been transferred.
- 1.17 No burial shall take place, cremated human remains interred, memorial be placed or additional inscription made without the written permission of the Parish Council and after the appropriate fee(s) (if any) have been paid.
- 1.18 All visitors must conduct themselves in a quiet and orderly manner, and persons showing the effects of alcohol or drug abuse will not be allowed within the Burial Ground. The Clerk has full power to exclude or remove any member of the public at his/her discretion.
- 1.19 Under the provisions of Article 10 of the Local Authorities' Cemeteries Order 1977, any person who contravenes Article 18 shall be liable on summary conviction to a fine not exceeding £100.00 and in the case of a continuing offence to a fine not exceeding £10.00 for each day during which the offence continues after conviction thereof. Under these provisions, it is an offence for a person to wilfully.
- Commit any nuisance or disturbance in the Burial Ground
 - Interfere with any burial taking place in the Burial Ground
 - Interfere with any grave or memorial, or any flowers or plants in any such manner
 - Play any game or sport in the Burial Ground
- 1.20 The car park is provided for the use of visitors to the Burial Ground only. Vehicles must not exceed 5mph or block any entrance or pathways. The Clerk shall have the power to exclude any vehicle which is considered unsuitable.
- 1.21 Visitors to the Burial Ground shall not unreasonably interrupt the Council's employees in their duties or employ them to execute private works within the Burial Ground or extend to them any gratuity. All enquiries, complaints and requests by members of the public must be made to the Clerk at the Council Offices and not to the workmen in the Burial Ground.

2.0 ARRANGING A BURIAL

- 2.1 In the case of full burials, the Funeral Director will make all the arrangements directly with the Parish Office. Cremated remains burials can be organised directly with the Parish Office; the use of a Funeral Director is not compulsory but is recommended.

Reservations will be regarded as provisional until the Notice of Interment form has been received.

The minimum period required for notice of interments in an earthen grave or cremated remains grave is 5 working days.

- 2.2 The Council shall not be responsible for:

a) **Any discrepancies, errors or omissions in any notice of interment or other document.**

b) **The late receipt of any notice of interment or other document which is required.**

- 2.3 The time appointed for an interment will be when the funeral cortege is to arrive at the entrance gate of the Burial Ground. It is requested that the time be strictly adhered to in order to prevent inconvenience and one funeral interfering with another.

- 2.4 The time allowed for a service in the Burial Ground shall not exceed 1 hour unless prior approval for a longer period has been obtained from the Clerk. Should the service overrun the Parish Council will determine whether additional fees will be charged.

- 2.5 Only one funeral will be allowed in the Burial Ground at any one time unless prior permission is obtained from the Clerk.

- 2.6 In the case of a public or military funeral, or one at which an exceptional number of persons may be expected, notice must be given at the time of booking and agreed by the Clerk.

- 2.7 In instances where a pandemic or national emergency is in occurrence, the time and days funerals are permitted to take place may be reviewed. This will be subject to demand and government/official advice. The number of mourners able to attend a funeral may also be restricted and procedures over the burial itself amended as necessary.

- 2.8 The certificate for disposal issued by the Registrar of Births and Deaths or a Coroners Order for Burial must be delivered to the Council prior to the interment taking place. No interment will take place unless the certificate for disposal is produced.

In the case of Cremated remains interments, the Cremation Certificate should be provided prior to the interment.

- 2.9 The responsibility for making the necessary arrangements for the attendance of priests, ministers, or other persons to officiate at a service rest upon the Funeral Director or the person(s) arranging the burial.

- 9.11 All work shall be subject to the directions of the Clerk and any person carrying out work must protect grass, borders, and adjoining memorials adequately. On completion of works all surplus materials must be removed and the whole site cleaned and left in a satisfactory condition.

- 9.12 All memorials and materials must be conveyed into the Burial Ground in such a manner as not to cause any damage to roads, footpaths or grass. No working is permitted on roads, footpaths, or adjoining graves and all surplus materials must be removed from the Burial Ground. If any damage is done to the Council's land or premises by bringing in any materials, gravestones, or memorials or from any other cause, the person(s) doing such damage will be held responsible and the Council may recover the cost of repairing such damage from such person(s) and in addition take proceedings under Article 18 of the Local Authorities' Cemeteries Order 1977.

- 9.13 No workman employed in fixing, painting or restoring memorials will be admitted or materials received into the Burial Ground on Saturdays, Sundays, Christmas Day, Good Friday, Bank Holidays or on any other day before 9a.m. or after 4p.m. without the express knowledge and permission of the Clerk.

- 9.14 All dressing or working of stone or other materials to be used in or about any grave, or memorial shall be undertaken outside the Burial Ground, except such work which cannot be carried out elsewhere. The Clerk must be informed if this situation arises.

- 9.15 The person erecting a memorial shall ensure that the relevant Grave Number is inscribed 2" (50 mm) above ground level on a suitable part of the memorial. The name of the Stonemason may be discreetly inscribed in an appropriate place on the memorial. The address and/or contact details of the stonemason are not permitted.

- 9.16 All graves/cremated remains graves must display a temporary marker bearing the name/s of the deceased from the time of interment. Softwood wooden crosses may be erected temporarily to mark a new grave and shall be allowed for a period not exceeding twelve months from the date of the interment. Any inscription thereon shall be by means of an inscribed brass plate affixed to the face of the cross but at its joint with the upright.

The Council reserves the right to remove any wooden cross permitted by this regulation after the expiry of twelve months following the date of the interment to which it applies.

- 9.17 Hardwood Crosses of timber obtained from sustainable forests may be erected. Crosses must not exceed 2'6" (75cm) in height, 20" (50cm) in width, and 3" (75mm) in thickness. They must be set in a sufficient stone or concrete plate or base, the surface of which is to be below ground level. The cross shall be in the form of a crucifix and the cross bar shall be joined to the upright in a secure and tidy manner. Any inscription thereon shall be properly carved into the face of the cross or by means of an inscribed brass plate affixed to the face of the cross but at its joint with the upright.

- work undertaken will comply with the details specified within the application form.
- All memorials/headstones must be erected using the monolith ground anchoring method as described within the NAMM Code of Working Practice. Following installation, all memorials will be checked by the Parish Council to ensure they comply with the approval granted.
- 9.3 The date for the installation should be agreed with the Parish Council prior to the installation.
- 9.4 The right to erect a memorial rests with the Exclusive Right Deed holder and will be for the unexpired portion of the Grant of the Exclusive Right of Burial only.
- 9.5 Requests for a memorial to a person not buried in the grave will be at the discretion of the Parish Council.
- 9.6 A minimum period of twelve months should elapse between the interment of a full coffin and the erection of a memorial. In the case of cremated remains the memorial should not be erected until at least six months have passed from the interment date.
- 9.7 The erection of a memorial on an un-purchased/public/common grave will be subject to the discretion of the Council. Where permission is granted to erect a memorial, it will be subject to the right of the representatives of other persons interred in the grave to have those persons commemorated thereon. As there is no right to erect a memorial on an un-purchased, public or common grave, such a memorial does not in itself confer any rights and remains at the discretion of the Council.
- 9.8 All memorials or work to memorials must be undertaken in accordance with the current Code of Practice issued by NAMM (the National Association of Monumental Masons) or BRAMM (British Register of Accredited Memorial Masons) and every memorial mason shall be insured for public liability to the value of £5,000,000 minimum and employer liability to a value of £10,000,000 minimum.
- 9.9 No memorial shall be altered or interfered with after it has been erected in the Burial Ground in accordance with the designs submitted to and approved by the Council.
- Anyone erecting a monument or who undertakes any memorial work within the Burial Ground not in compliance with these regulations will be required to remove the said memorial and pay all costs involved.
- The Council will remove any unauthorised memorials, kerbs, railings, ornamentation or horticultural decoration. The Council may recover the cost of removal of these items from the holder of The Grant of Exclusive Right of Burial to that grave, in accordance with the powers and procedures set out in Article 14 of The Local Authorities Cemeteries Order 1977.
- 9.10 No inscription may be cut, nor work of any kind undertaken to any memorial within the Burial Ground without the prior written consent of the Clerk.
- N.B. Any person/contractor contravening this Regulation will not be allowed to carry out any further work within the Burial Ground.

- 2.10 Any form of religious service may be used, but any other ceremony is subject to the approval of the Council. Alternatively, a coffin and or cremated remains casket/container may be committed without a service. Please refer to the maximum size for an ashes container.
- 2.11 In the case of a re-open of grave space the Funeral Director or person organising the funeral is responsible for arranging the removal of any memorial prior to interment. All memorials shall be transported from the burial ground and stored by the stone mason until such time as they are re-erected. The Council will not accept any responsibility for removed memorials left in the burial ground and may dispose of the said memorial at their discretion.
- 2.12 The Burial Ground has been consecrated however an area of un-consecrated ground is available for the deceased with no religious persuasion.
- 2.13 All fees shall be paid to Barton-le-Clay Parish Council and sent to the Parish Office at the time of booking. All other fees shall be paid before the work to which they relate is started. These requirements do not apply to those Funeral Directors who pay on account.
- 2.14 The Council will refuse to allow interments when there is reason to believe details given on the Notice are incorrect, the disposal certificate is not available to authenticate the identity of the person to be interred prior to the burial, or if the necessary Notice mentioned above has not been given.
- 2.15 The Council reserves the right to delay or cancel any interment where, in its opinion, ownership of the Exclusive Right of Burial is disputed.

3.0 INTERMENT & BURIAL

- 3.1 The Funeral Director/person(s) arranging the funeral is responsible for the provision of sufficient bearers to convey the coffin reverently from the hearse to the graveside.
- 3.2 No coffin shall be opened in the Burial Ground for any purpose whatsoever.
- 3.3 The Council reserves the right to delay or cancel any interment where, in its opinion, ownership of the Exclusive Right of Burial is disputed.

4.0 GRAVE PREPARATION

- 4.1 The excavation of graves for full burials shall be the responsibility of the Funeral Director. No grave shall be excavated beyond such a depth as the Council may determine and the grave shall be situated as near as possible to the centre of the grave space.
- 4.2 The excavation of plots in the Garden of Rest is the responsibility of the Parish Council.
- 4.3 Any excess soil excavated from any grave should be removed from the burial ground immediately.

- 4.4 Graves will be sufficiently large to admit coffins to the dimensions specified by the funeral director/person arranging the funeral on the Application Form.
- 4.5 Should relatives and friends wish to back fill the grave, permission must be sought from the Parish Council prior to the interment and the back filling must be carried out under the direction of the Funeral Director and Parish Councils officer.
- 4.6 Cremated remains (ashes) may be interred in caskets or other approved containers in conventional purchased graves or in the Garden of Rest. There is no facility for the scattering of cremated remains (ashes) on grave spaces or in any area within the Burial Ground.
- 4.7 The hours for interments are as follows:
 1 April to 30 September 10am to 4pm Mondays to Fridays
 1 October to 31 March 10am to 3pm Mondays to Fridays
- No interment shall take place outside these hours, or on weekends, Good Friday, Christmas Day or a General Holiday except in cases of special emergency and then only at an approved hour and on payment of an appropriate additional fee and at the Councils discretion.
- 4.8 No body shall be buried in a grave in such a manner that any part of the coffin is less than 3' (91.5cm) below the level of the ground adjoining the grave except at the Councils discretion.
- 4.9 No body shall be buried in a grave unless the coffin is effectively separated from any coffin previously interred in the grave by means of a layer of earth not less than 6" (15cm) in thickness except in the case of a multiple burial.
- 4.10 Work, other than excavation, including the construction or reopening of bricked graves, the erection or removal and re-fixing of memorials, may be carried out under the direction of the Clerk by an approved contractor appointed by the owner of the purchased grave.
- 4.11 All coffined burials must take place in coffins of a material and design approved by the Council. Wicker, cardboard coffins or any other such materials that may be deemed appropriate are permitted at the discretion of the Council.
- 4.12 All coffins must be marked with a non-perishable plaque/nameplate or by other means as shall be approved by the Council, showing the name, age and date of death of the deceased. In the case of a stillborn child no age will be recorded.
- 4.13 No body or cremated remains (ashes) may be removed from a grave without the production of the ecclesiastical Faculty and or Home Office licence for exhumation required by law. Original documents must be presented to the Clerk for this purpose.
- 4.14 The Parish Council reserves the right to delay or reschedule a funeral if any burial area or excavated grave becomes unstable or dangerous due to severe weather, or other naturally occurring instances or an act of God.
- 4.15 A Parish Council representative will be present at all interments to make the final checks to ensure the funeral is completed lawfully.

- 7.7 If any dispute shall arise as to the date of expiry of the period for which an Exclusive Right of Burial was granted, the Parish Council will refer to their records and the date shown in the records shall be final and conclusive and binding upon all parties.
- 7.8 To ensure we can contact you, if necessary, we would ask that you let us know if your address or contact details have changed.
- 7.9 Plans showing the divisions of the Burial Ground with grave spaces marked thereon may be inspected by prior arrangement with the Parish Office during normal office hours.
- 7.10 The Grant will be subject to, in addition to these Regulations, any order that the Secretary of State may, from time to time, make in respect of the management of Burial Grounds by Burial Authorities, the Council's Burial Ground fees, and any regulations in force for the time being respecting the Burial Ground or the portion thereof in which the plot, which is the subject of the Grant, is situated.

8.0 TRANSFER OF AN EXCLUSIVE RIGHT OF BURIAL

- 8.1 The Grantee or their legal representative may transfer or assign a Right of Burial subject to the proper notice being served on the Parish Council. The request to transfer or assign a Right of Burial must be notified to the Clerk and the appropriate legal paperwork completed and witnessed. The office is able to offer guidance and provide the relevant paperwork for this process.

- 8.2 **Following the death of the Grantee, the Exclusive Right of Burial for any grave space must be transferred to the next entitled person. The burial of the Grantee will be permitted but no inscription to the memorial will be permitted until the transfer is complete.**

The law concerning this matter can be very complex and each case is different. Please contact the Parish Council office who will guide you through the process necessary.

NB. The Deed of Exclusive Right of Burial, like any other Deed, is an important document and should be kept in a safe place.

9.0 MEMORIALS

- 9.1 All memorial requests should be made to the Parish Office and must be approved prior to being erected. The application should include a drawing, the material to be used (granite, marble or dressed stone are permitted), colour, exact dimensions and associated details and the proposed inscription. The application form must be signed and dated by the registered owner(s) of the Exclusive Right of Burial or in the event of the death of the owner, the Exclusive Right of Burial must be transferred to an entitled member before any application is considered.
- 9.2 Upon approval, a memorial permit/approval letter will be issued and will be valid for 6 months but this may be extended at the discretion of the Clerk. No works will be undertaken unless a permit has been issued and the appropriate fee paid. The permit is issued on the understanding that the

- those who have moved from the parish of Barton-le-Clay within the 12 months preceding death, having previously been a resident throughout the previous 5 years.
- a still born child or the body of a person whose age at the time of death did not exceed twelve years, where one of the parents is, or at the time of the infant death was, a resident of Barton-le-Clay.

7.0 PURCHASING A GRAVE SPACE - EXCLUSIVE RIGHT OF BURIAL

- 7.1 The Exclusive Right of Burial in a grave space or cremation plot may be purchased at the time of the interment request, upon payment of the appropriate fee and, completion of the relevant section on the **Notice of Interment** form including the name and address of the proposed owner (Grantee).

A Deed of Grant for a period of 99 years shall be issued to the purchaser (Grantee) whose name shall be then registered. A copy of the current Burial Ground Regulations shall be passed to the Grantee for their reference. The Grantee will be asked to confirm in writing that they agree to the Rules and Regulations.

- 7.2 An Exclusive Right of Burial cannot be pre-purchased or reserved and will not be sold to undertakers, their agents or other persons for re-sale.
- 7.3 At the end of the said period of 99 years the Exclusive Right of Burial shall cease however the Right of Burial can be re-purchased prior to the expiry date by the Grantee or in the event that the Grantee has deceased by an entitled person following the transfer of burial rights.

If the Right of Burial is not re-purchased by the end of the expiry date, ownership will revert to the Parish Council who reserve the right to remove any memorial or take appropriate action as required.

- 7.4 New graves will be allocated in strict rotation. They are not available for selection. The Council will mark every grave space according to the official plan.
- 7.5 The Council reserves the right to retain any grave space(s) for its own purposes.
- 7.6 Ownership of the Exclusive Right of Burial entitles the owner(s)
- to be buried in that grave
 - to decide who is to be buried in the grave space
 - to organise a memorial and any additional inscription on the grave space, subject to permission being granted by the Parish Council
 - The Grantee is responsible for the upkeep of the grave space and any memorial for the duration of the Deed (99 years from purchase). This includes topping up the grave level as necessary.

(Please note that possession of the Grant does not provide ownership of the actual land)

5.0 RIGHT OF INTERMENT

- 5.1 Parishioners whose names appear or are eligible to appear in the Register of Electors for Barton-le-Clay, and any children residing in the parish, may be interred in the Burial Ground on payment of the appropriate fee as set out in the Burial Ground fees.

Non-parishioners will be permitted interment rights providing that they meet at least one of the following criteria:

- 1) *previous resident of the parish, as an adult homeowner or tenant, for a period of 10 years or more*
- 2) *the son/daughter of a parishioner who has resided within the parish for in excess of 30 years*
- 3) *the mother/father of a parishioner who has resided within the parish for in excess of 30 years*
- 4) *was present on the electoral role of any church within the parish boundary for the 10 years preceding to death*
- 5) *was the owner of a business located within the parish of Barton-le-Clay for a period of 10 years preceding death*

- 5.2 In all cases, non-parishioner fees will be subject to the non-parishioner multiplier as stated within the Council's current Burial Ground Fees. Subsequent interments within plots are permitted, regardless of compliance to the above non-parishioner criteria but will be subject to the grave owners' consent and the non-parishioner multiplier as previously stated.

6.0 DEFINITION OF A RESIDENT

- 6.1 The fee for the Grant of Exclusive Right of Burial shall be subject to a multiple of 5 where the purchaser of such Grant was not ordinarily resident within the Parish of Barton-le-Clay.

Similarly, the fee for interment, shall be subject to a multiple of 5 where the deceased was not ordinarily resident within the Parish of Barton-le-Clay. The multiplier for memorial installation and additional inscription for a non-resident is 1.5 times.

the Council would grant a concession to waive the multiple of 5 for an interment in the case of ;

- those requiring nursing in residential or hospital care outside of the Parish who have minimum five years' residence qualification that extends to the date of their moving into residential or hospital care.
- those requiring the care of family outside of the Parish who have a minimum of five years' residency qualification that extends to the date of their moving into the care of family members.
- such concession would exclude those who have left the village of their own volition then returned to residential or hospital care in the immediate neighbourhood, unless described below