

Avon Dassett Parish Council

Cemetery Regulations

Adopted by Avon Dassett Parish Council	5 May 2021
Adopted by Avon Dassett Parish Council	9 May 2022
Adopted by Avon Dassett Parish Council	4 July 2022
For Adoption by Avon Dassett Parish Council	3 July 2023

Table of Contents

1. Introduction	3
2. Contact Details.....	3
3. Admission to the Cemetery	3
4. Right of Burial	4
5. General Regulations	4
6. Graves	5
7. Coffins.....	6
8. Booking of Interments	6
9. Interments.....	7
10. Memorials.....	7
11. Care of Graves and Memorials.....	8
12. Appendix A – Cemetery Fees	10
13. Appendix B - Deed of Grant	11

1. Introduction

1.1. These regulations apply to the Cemetery (“the Cemetery”), owned and managed by Avon Dassett Parish Council, (“the Council”).

2. Contact Details

2.1. All funeral bookings, interment arrangements, general enquiries and comments regarding the Cemetery should be directed to:

The Clerk to Avon Dassett Parish Council contact details can be found on the Parish website:

<http://www.avondassettparishcouncil.com>

2.2. These Regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate regulations currently in force.

3. Admission to the Cemetery

3.1. The Cemetery is open on an unattended basis for visitors every day of the year. Other than in exceptional circumstances the gates to the Cemetery will not be locked. However, the gate to the Cemetery car park will be locked and access will only be granted by application to the Clerk. Where access is granted the car park must be always supervised, unless agreed in advance with the Clerk. The arrangements for the supervision must be agreed with the Clerk in advance.

3.2. Cemeteries are places of peace and quiet reflection. They are also workplaces. Visitors to the site are welcome, but please respect the special nature of the site, the needs of other users, and safety factors. No games, sports, riding of bicycles, skateboards, roller blades or similar are allowed in the Cemetery. No consumption of alcohol or drugs may take place within the Cemetery, and anybody under the effects of such substances will be required to leave the Cemetery.

3.3. Any person creating a nuisance or a disturbance, such as interfering with a funeral, grave, headstone, flowers, trees etc., will be required to leave the Cemetery immediately and may be the subject of subsequent legal action.

3.4. Children under the age of 14 are welcome in the Cemetery Ground but must be supervised by a responsible adult. It is particularly important that children are not allowed to climb on any monuments, trees, or other items within the Cemetery.

3.5. No dogs are permitted in the Cemetery except for Guide Dogs, Hearing Dogs or other recognised Assistance Dogs, or with the express permission of the Clerk.

3.6. Vehicles are permitted in the Cemetery carpark and must obey any instructions given to them by the Clerk, or the appointed representative. The Council or any of its representatives or employees cannot accept responsibility for the loss or damage to any vehicle or its contents whilst in the Cemetery carpark.

3.7. Visitors with disabilities or other special requirements should contact the Clerk who will be pleased to assist.

4. Right of Burial

4.1 The following persons have the right of burial or interment of cremated remains:

4.1.1. Residents of the Civil Parish of Avon Dassett.

4.1.2. Any person who dies within the Civil Parish of Avon Dassett at the discretion of the Parish Council.

4.1.3. At the discretion of the Council any person who has close personal ties with a resident of Avon Dassett e.g., a sister, brother, or parent.

4.1.4. The burial of all other persons is at the discretion of the Council.

For the purposes of these regulations the Civil Parish of Avon Dassett is defined as those post codes that are covered within the Register of Electors – FL Avon Dassett

4.2. The interment of cremated remains of any person into a grave is allowed in the cases where next-of-kin provides written consent.

5. General Regulations

5.1. No employee, volunteer or Councillor is allowed to take any gratuity, or to undertake paid private work of any kind in connection with the Cemetery either in their own time or during their employed hours.

5.2. No person shall canvass or solicit business in the Cemetery.

5.3. All fees for interments or memorial works must be paid in full to the Council in advance.

5.4. The Council will publish a scale of fees and charges, and these will be reviewed on an annual basis. Residents of the Civil Parish of Avon Dassett will qualify for reduced fees compared to non-residents. A resident is defined as somebody who, immediately prior to their death, was a resident of the Civil Parish of Avon Dassett, or who lived in the Civil Parish of Avon Dassett for over ten years and moved out of the area less than 24 months before their death.

5.5. The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations, as necessary.

5.6. The Cemetery is solely the property and responsibility of the Council and not of any Church Authority.

5.7. The interment of cremated remains will take place in the area set aside, as shown on the plan of graves, or in a family grave.

5.8. Ashes plots are to be 600mm and dug to a depth of 600mm by an undertaker or Funeral Director. There must be a minimum of 225mm between plots which are utilised for ashes.

5.9. Caskets for the interment of cremated remains must be of wood or a suitable biodegradable material. Polyurns are not permitted.

5.10. Cremated remains can be poured straight into a hole which has been subject to prior agreement with the Council. When this happens, the plot may NOT be reopened as the cremated remains cannot be disturbed in the future. Cremated remains must NOT be scattered on the surface but must be interred into the earth.

5.11. The regulations for the interment of cremated remains are the same as for other burials.

All funerals and interment of cremated remains must comply with current Government guidance for arranging or attending funeral. These are available at www.gov.uk

6. Graves

6.1. Graves are available in the Cemetery. Graves (whether to be in the consecrated or non-consecrated areas) will be allocated by the Clerk in turn, in numeric order as indicated on the Cemetery Plan held by the Council. There is to be no reservation.

6.2. The name of each person buried will be marked on the Cemetery Plan. Any grave which is dug to double depth will be recorded on the Cemetery Plan. Any Interment of cremated remains in a grave will also be recorded on the Cemetery Plan.

6.3. No grave can be reopened if any interment of cremated remains has taken place without a prior application to and authorisation from the Council.

6.4. Every interment shall take place either in a private or public grave. Private graves are graves to which an Exclusive Right of Burial has been issued. Public graves are graves which remain in the ownership of the Council and to which no specific rights have been granted.

6.5. The Exclusive Right of Burial for a grave can be purchased for a period of 99 years. The Exclusive Right of Burial also allows a memorial to be placed on the grave. When an Exclusive Right of Burial is purchased a Deed of Grant will be issued. Please see Appendix B.

6.6. The Exclusive Right of Burial cannot be purchased in advance of need, i.e., graves cannot be pre-purchased or reserved. The Exclusive Right of Burial can only be transferred to another person via the legal process laid out in the Local Authorities Cemeteries Order 1977.

6.7. In public graves, the Council undertakes to leave 20 years before allowing the burial of a person unrelated to the original burial. The Council may allow the burial of related people in the grave before the expiration of 20 years. The Council may also allow the Exclusive Right of Burial to be purchased by a family member before the expiration of the 20-year period.

6.8. Memorials will only be permitted on purchased graves. Memorials must conform to the regulations given at 10 below.

6.9. The types of graves available are Lawn Graves, Cremated Remains Graves, and Children's Graves. Lawn Graves are laid to lawn and a headstone only is allowed with a small space at the head of the grave available for planting; Cremated Remains Graves are for the burial of cremated remains only; Children's Graves are for the burial of children under the age of 16.

6.10. All graves will be excavated and prepared for interment by the gravedigger appointed by the Funeral Director. No other person or company will be allowed to undertake any excavation within the Cemetery except

Avon Dassett Parish Council Cemetery Regulations

with the express permission of the Clerk. The digging of the grave and safety of a prepared grave are the responsibility of the Funeral Director and the grave digger. They are not the responsibility of the Council.

6.11. The depth of each grave will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977. For standard sized coffins (2025mm in length, 610mm wide and 610mm high) graves must be dug to a depth to allow at least 900 mm of earth over the top of the coffin. This means that a single depth grave must be at least 1,510 mm, and a double grave 2,270 mm, with not less than 150 mm between the coffins. Where the coffin is not of a standard size agreement must be sought from the Clerk as to grave depth required to ensure that the above criteria are met.

6.12. The dimensions of each plot will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977. For standard sized coffins as detailed above the plot must be 1250mm wide and 2750mm in length. The coffin must be placed in the centre of the plot. Where the coffin is not of a standard size agreement must be sought from the Clerk as to the plot dimensions required. The Clerk is responsible for ensuring the marking out of each plot in advance of any work being started. The dimensions of the plot and the required depth will be advised to the Funeral Director in writing.

6.13. The filling-in of the grave must take place immediately after interment. On no account must a coffin be left unattended in an open grave. Final making good of the grave by returfing or grass seeding must take place within 3 months of the interment unless otherwise agreed in writing by the Clerk.

6.14. The interment of cremated remains will only be buried in the allocated area of the Cemetery, which is shown on the Cemetery Plan.

7. Coffins

7.1. Coffins and urns for burial must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool, cardboard.

8. Booking of Interments

8.1. Funeral Directors can make a provisional booking for a funeral by phoning the Clerk.

8.2. The provisional booking should be followed up by the submission of a completed Notice of Interment which are available on application from the Clerk. The completed form must be returned to the Clerk at least 48 working hours in advance of the intended date and time of the interment. Receipt of the fully and correctly completed Notice of Interment will act as confirmation of the provisional booking.

8.3. The exact size of the coffin, casket or container must be given in writing to the Council as soon as possible after the provisional booking, together with any other pertinent information relating to its size and shape (e.g., locking bar handles, casket shape, wicker coffin etc.).

8.4. As much information relating to the funeral as possible must be given to the Clerk in advance, especially if it is unusual, e.g., a large number of mourners are expected. Please also refer to subject to Section 5.12 above.

8.5. If the grave is purchased and is to be reopened for a further interment, the written permission of the registered grave owner must be given, in writing to the Council.

Avon Dassett Parish Council Cemetery Regulations

8.6. It is the responsibility of the person making the funeral arrangements to ensure that any memorial on the grave is removed from it at least 48 working hours prior to the date and time of the funeral.

8.7. The Certificate given by the Registrar of Births and Deaths or an order of the Coroner must be delivered to the Clerk prior to the funeral. Please contact the Clerk to make these arrangements.

8.8. The Council will determine the appropriate fees to be paid for the funeral, which must be paid fully in advance. (Appendix A: Cemetery Fees).

9. Interments

9.1. Funerals will normally only be permitted Monday to Friday 09.30 - 15.00 (excluding Bank or other Public Holidays). It may be possible to arrange funerals outside of these times subject to additional cost. Please contact the Clerk if a time outside of the permitted hours is required.

9.2. All funerals will be subject to the control of the Clerk who will meet the cortege and direct it to the grave as appropriate.

9.3. The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving funeral if it impacts on another service.

9.4. It is the responsibility of the person making the funeral arrangements to organise a Minister or Officiant for the funeral if one is required.

9.5. Any floral tributes and wreaths from the funeral will be placed on top of the grave following backfilling and will remain in situ for a minimum of 14 days before being cleared by the Council (unless family have already removed them).

9.6. Nothing can be planted on burial plots or plots for the interment of cremated remains except for spring bulbs.

10. Memorials

10.1. Nothing can be placed in the Cemetery without written consent from the Council.

10.2. Contained within these regulations is a Management of Memorials Policy (Appendix C) which deals with current and future memorial installations, safety inspections and making safe unstable memorials. Masons carrying out work in the Cemetery must comply with the Council's Management of Memorials Policy. Adoption of these regulations will also include the adoption of this related policy.

10.3. All memorials fixed in the Cemetery must comply with British Standard 8415.

10.4. Only those memorial masons' businesses that are BRAMM or NAMM accredited, and those memorial masons that hold a current BRAMM or NAMM Fixer Licence, will be able to work in the Cemetery. Fixers who do not hold a BRAMM or NAMM Fixer Licence will only be permitted to work under the direct supervision of a mason who holds a BRAMM or NAMM Fixer Licence.

10.5. Memorials will only be permitted on purchased graves. Memorials other than those fixed by a BRAMM or NAMM accredited memorial mason are not allowed. Fences cannot be erected around a grave.

Avon Dassett Parish Council Cemetery Regulations

10.6. Before any memorial may be erected or works undertaken to an existing memorial, an application must be submitted to the Clerk on the appropriate form supplied by the Council. The grave owner must sign the form to give their permission for the proposed memorial/works. On approval by the Council a permit will be issued to the responsible Memorial Mason.

10.7. Memorials must be constructed of materials suitable to the environment and the period of the Exclusive Right of Burial as detailed in Section 6e. The Council reserves the right to reject an application for any memorial that it deems unsuitable.

10.8. Memorials for cremated remains can be flat, unpolished light natural stone with dimensions no greater than 300 mm square. Inscriptions should be in black or gold lettering. Headstones should be a maximum of 1000 mm in height and 750 mm wide and the depth is 300 mm (maximum sizes). Alternatively, a small, monumental vase of light natural English Stone, with inscriptions in black or gold lettering can be permanently fixed.

10.9. On cremated and children's graves the maximum height of a memorial is 750mm and the maximum width is 450mm

10.10. Inscriptions and memorials are to be of a nature commensurate with the dignity of the Burial Ground, and the sensitivity of others whose relations are buried there. Cases in doubt will be referred to the Council whose decision is binding.

10.11. Memorials remain the property of the family and friends of the deceased. The Council cannot accept any responsibility for their loss or deterioration

10.12. The memorial mason must inscribe the company name only on the reverse of the stone towards the base in lettering not more than 5 mm high. No trademark, phone number or other advertising will be allowed. The memorial mason must also inscribe the grave number towards the bottom right-hand side of the reverse of the memorial in letters not exceeding 5 mm high.

10.13. Memorial masons must remove all arisings from the Cemetery at the conclusion of their work and must leave the area in a tidy condition. It is not possible for memorials to be stored in the Cemetery prior to re-fixing following a burial – all such memorials must be removed from the site by the memorial mason appointed to remove the memorials prior to the grave being excavated.

11. Care of Graves and Memorials

11.1. All memorials erected are the sole responsibility of the owner and the Council shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. The memorial remains the responsibility of the grave owner during the lease period of the grave. The Council reserves the right to repair or make safe any memorial which becomes unsafe or falls into disrepair, and to recover any expenses from the registered owner. The Council will undertake routine safety checks on all memorials and will notify the grave owner at the last registered address of any necessary works to make the memorial safe. The grave owner will be given a period of 6 months from the date of the letter to undertake the necessary repairs. The Council reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner does not arrange for the repairs to be made, the Council may repair or remove the memorial at the owner's expense.

11.2. The Council recommends that grave owners take out an insurance plan for their memorial.

11.3. Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site.

Avon Dassett Parish Council Cemetery Regulations

11.4. All flower holders or other items left on graves must be made of non-breakable material. Any items left on graves are at the owners' risk and the Council cannot be held responsible for any theft or damage to them howsoever caused. The Council may remove any articles from any grave that are likely to cause risk, damage, or offence to other visitors to the Burial Ground or which interfere with the Council's maintenance of the site.

12. Appendix A – Cemetery Fees

The cost of grave digging and the funeral arrangements are a matter for the family, the Executors, and the Funeral Director. They are not the responsibility of the Council.

Arrangements for services in a church or at the graveside are to be made separately with the Clergyman, Minister or Priest concerned. Appropriate fees are to be made.

12.1. Fees payable to the Council by residents or former residents of the Civil Parish of Avon Dassett.

12.1.1.	Burial in the Burial Ground	£ 200
12.1.2.	Interment of Cremated Remains	£ 100
12.1.3.	For erection of monumental vase not exceeding 12 inches by 8 inches by 8 inches*	£ 45
12.1.4.	For erection of headstone or other monument	£ 150
12.1.5.	To re-open a grave	£ 75
12.1.6.	Exclusive Right of Burial – the above fees are double	

12.2. Fees payable to the Council by non-parishioners of the Civil Parish of Avon Dassett.

12.2.1.	Burial in the Burial Ground	£ 275
12.2.2.	Interment of Cremated Remains	£ 125
12.2.3.	For erection of monumental vase not exceeding 12 inches by 8 inches by 8 inches*	£ 55
12.2.4.	For erection of headstone or other monument	£ 200
12.2.5.	To re-open a grave	£ 125
12.2.6.	Exclusive Right of Burial – the above fees are double	

* Note: A monumental vase refers to a permanent stone fixture not larger than the dimensions specified above. The erection of any monument other than a headstone and plinth in Hornton stone (See Memorials) requires prior permission from the Council.

13. Appendix B - Deed of Grant

Avon Dassett Parish Council

Deed of Grant of Exclusive Right of Burial

By Virtue of the powers conferred by the Local Authorities' Cemeteries Order 1977 (hereinafter referred to as "the said Order") on burial authorities constituted under the Local Government Act 1972 Avon Dassett Parish Council (hereinafter called "the Council") acting as a burial authority constituted under the said Act: -

In consideration of the sum of << Insert fee paid in words and figures >> paid to the said Council

By <<Insert the name of the Grave Owner >>

Of <<Insert the address of the Grave Owner >>

(hereinafter called "the Grantee")

DO HEREBY GRANT unto the said Grantee the exclusive right of burial in
the Grave Space No << Insert the Grave Number >>

In Avon Dassett Village Cemetery situated at Fenny Compton Road, Avon Dassett Southam, Warwickshire (being a cemetery provided and maintained by the Council) to hold the same unto the Grantee for the term of ninety-nine years from the date hereof for the purpose of burial subject to the provisions of the said Order and to the Orders, Byelaws, Regulations, Fees and Charges for the time being in force with regard to the management regulation and control of the said cemetery.

Given under my hand this <<Insert the date >> day of <<Insert the month >>
two thousand and <<Insert the Year >>

(Signed) <<To be signed by the Clerk >>

<<Insert the Clerk's Name >>

Clerk & Responsible Financial Officer