

# Laceby Village Council

## Cemetery Regulations for Laceby Cemetery

### 1. Legislation

- a) Laceby Village Council under the Local Cemeteries Order (LACO) 1977 is responsible for regulating the Laceby Cemetery. It is required by that order to set out regulations to provide a safe and dignified environment for all visitors and can do anything that is necessary for the proper management of the Cemetery.
- b) There are several Acts of Parliament and Government Regulations which apply to burials and cremations and the way cemeteries are maintained. This includes, the Cremations Act 1902 and 1952, Health and Safety at Work Act 1974 and 1977 as amended, LorACO 1977, Cremations Regulations 2008 / Environmental Protection Act 1990.

### 2. General Regulation

- a) The burial ground is a lawned cemetery and is always open to public. Groups of youths are not permitted into the Cemetery. All visitors must keep on the walks, refrain from touching shrubs or flowers and observe perfect decorum in all aspects. Except for guide dogs, dogs are not allowed in the burial ground under any circumstances.
- b) Memorials may not be erected without the written permission of the Village Council. An application on the prescribed form with drawings showing all dimensions and inscriptions must be submitted to the Clerk as per regulations 3 & 9.
- c) The Clerk will allocate grave spaces on behalf of Laceby Village Council.
- d) All cremation plots must be covered with a blank marker stone or inscribed plaque immediately after interment.
- e) Occasionally it may be necessary to place soil on a grave whilst a neighbouring grave is dug or where the top of a neighbouring grave has suffered deterioration.
- f) The scattering of ashes within the cemetery is not permitted, because of damage this causes to the ground. There are provisions for the burial of ashes in an appropriate casket. Please speak to the Clerk for further details.

### 3. Right of Interment

- a) Any person 18 years and older may purchase Exclusive Rights of Burial (EROB). You can purchase these for a period not exceeding 75 years. Purchasing an EROB means that the grave may not be re-opened and no one may be buried there or install a memorial without your permission. An EROB grant will be issued to the owner of the grave once the associated fees have been paid.
- b) If the owner of the EROB dies, it is assumed that they give permission to have themselves interred into the grave. At this time the Rights become part of their estate and may be left in a will for someone else (the executor). Whoever inherits the Rights (the executor or named person in a will) will need to contact the Clerk to arrange a transfer of ownership before the grave can be opened or the memorial placed onto the grave. It is often better to add or transfer the Rights as soon as possible after inheriting the Rights. There will be a charge for the Transfer of Rights. All changes and transfers must be done in writing.

- c) Where the owner died many years ago, and the family now wish to use the grave or update the memorial, then you should contact the Clerk. This process may take time, and require copies of Wills and / or Grants of Probate and for you to make a formal declaration in front of a Solicitor.
- d) All applications for EROB and interment should be made to the Clerk of Laceby Village Council and must be approved prior to any interment. The application should ensure it includes all required information contained within the Notice of Interment form and all parties to be interred into the grave must be included on this form; this also applies where a set of ashes is included within a coffin. The right of interment, erection of memorials and the reservation of grave spaces are exclusive to residents of Laceby or those whose name at any time has been on the Register of Electors during 5 years prior to death upon payment as set out in the scale of fees (see Cemetery Fees). Persons residing in residential care homes, nursing homes and hospitals outside of Laceby who were, prior to their removal thereto, inhabitants of Laceby will be classed as residents.
- e) At the discretion of the Council these services may be extended to non-parishioners on payment of the appropriate fee (see Cemetery Fees). Ex-residents with a strong family connection will have their rates considered on an appeal procedure. Should there be any query regarding these rights the non-resident fee must be paid, refundable if residency is proven and accepted by the Council. All executors of the Will should have full knowledge of the burial or memorial application and shall confirm such in writing to the Village Council. Where it is not possible for all executors to confirm their knowledge of the burial application, a written explanation must be given by the other executor/s to be considered by the Village Council, which may then agree to accept such application. All correspondence regarding the grave and or memorial will be communicated to and received from all executors. This policy applies to everyone acting on behalf of Laceby Village Council including Elected Members and employees, whether permanent, temporary, or contracted, either as an individual or through a third-party supplier.
- f) Residents will receive a discount if two sets of remains are interred at the same time. The fee for a double interment will be 1 ½ the current interment fee. This discount is only applicable to residents of Laceby and relates only to the Interment fee not the purchase of burial or ashes plots.

#### **4. Notice of Interment**

- a) Application forms for interment, erection of memorials, reservation of plots and the scale of fees form part of these regulations and are available from the Parish Council Clerk.
- b) Upon completion the applicant will receive a signed copy approval and a set of rules and regulations.

#### **5. Coffins**

- a) The Deceased must be placed in a properly constructed coffin or eco-friendly coffin as agreed by the relevant undertaker before burial will be allowed to take place.

#### **6. Digging and Reinstatement of Graves**

- a) It will be the responsibility of the Clerk, on behalf of Laceby Village Council, The Burial Authority, to arrange the digging of graves and cremation plots. 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 is at a depth less than one foot below the level of the ground space. The minimum depth of a grave shall be four feet six inches for one interment and six feet for two interments.

***NB – it should be noted that the above-mentioned depths are liable to be checked after digging and if found to be insufficient the interment will not be permitted to take place. This may particularly affect second burials if it is found that the original grave was not dug to a sufficient depth. In such cases a fresh grave will be allocated.***

## **7. Re-opening of Graves and Cremation Plots**

- a) Permission in writing from the surviving relative or executor must be submitted to the Village Council when a grave is to be re-opened.
- b) There shall be no disturbance of any previous burial.

## **8. Flowers**

- a) Permanent vases, flower or containerised plants must be part of the memorial. **Glass, China, Plastic, Jars or Bottles are not allowed.** Any such item may be removed at the discretion of the Village Council.
- b) Once a permanent memorial is erected or after the grave is reinstated no flowers, saplings or shrubs may be planted in a grave space, the cremation area, or around memorial plaques unless within 30cm of the headstone as all plots will be grassed and therefore must not be dug out. Any such item may be removed at the discretion of Laceby Village Council.
- c) Flowers, Wreaths and Arrangements for special occasions, anniversaries etc will be allowed but these will be removed once they are dead.
- d) Loose chippings / gravel / stones must not be placed on the gravesite as these create a Health and Safety issue during maintenance.
- e) No responsibility can be accepted by the Village Council for the removal of flowers or containers by any unauthorised person.

## **9. Memorials - Headstones, Crosses, and Plaques**

- a) To place a memorial on a grave, a memorial application should be completed and sent to the Clerk with the associated fees. This is not included within the EROB and burial fees.
- b) Once you have approval to place a memorial on a grave, you will have the responsibility to pay for the maintenance of the memorial during the period of the grave rights granted to you, or for any extension made to this period. The memorial cannot be moved or disturbed during this period without your express permission, unless it poses a health and safety hazard. The safe erection and maintenance of the memorial is your responsibility for the period of the EROB Rights.
- c) Only Memorial Masons registered through BRAMM or NAMM and approved by Laceby Village Council are permitted to erect memorials in our cemetery. This also applies to memorials being repaired, moved, or reinstalled after repair or additional inscriptions.
- d) Memorials should be fixed according to BS 8415, which is supported by the current edition of the National Association of Memorial Masons (NAMM) Code of Working Practice, and erected by a mason with a current National Fixer Licence and Public Liability Insurance. A fixer licence must be from one of these organisations: The British Register of Accredited Memorial Masons (BRAMM) or The Register of Qualified Memorial Fixers (RQMF).

- e) No headstone or any other memorial shall be placed in the burial ground and no additional inscriptions shall be made on any stone or other memorial without first obtaining consent from the Village Council Clerk in writing and upon payment of the appropriate fee (see Cemetery Fees). Such consent will only be given if the proposed memorial and inscription complies with the requirements of these regulations and is acceptable to the Council. Any unauthorised memorial will be removed. The Village Council will not be responsible for the costs incurred; these will be charged back to the family, undertaker, or stonemason responsible.
- f) A memorial may be in the form of a headstone or a cross and must be placed at the head of the grave. All memorial inscriptions must face the burial plot that it relates to. From section 12 onwards, the plot number must be engraved at the foot of the reverse or side of the headstone, cross or moveable vase, right hand corner of a cremation plaque and on the reverse side of a temporary marker stone. Installation will not be permitted without such numbering.
- g) The base area of the memorials to be no more than 92cm (3 feet) wide, 46cm (1 foot 6 inches) depth and 92cm (3 feet) high maximum above ground level. These dimensions are overall dimensions inclusive of any bases or plinths. The erection of the memorials shall be anchored to a concrete foundation of not less than 10cm (4") thickness. In respect of ashes the memorials shall be no more than 2'0" wide up to 2'0" high and a depth of 12".
- h) Insurance for all memorials is compulsory.
- i) Plaque memorials will be allowed in place of, and not as well as, a headstone.
- j) Lettering on headstones and cremation plaques must be black, dark brown, leaded; white, silver or gold.
- k) A memorial shall be constructed of Granite, Marble, Wood, and Natural Stone but not of reconstituted Stone, Brick, Plaster, Bath, or other soft stone or of any metal.
- l) The Village Council reserves the right to approve all applications. Full details of memorials, measurements and inscriptions must be submitted at the time of application. Tree plaques are not permitted.
- m) The erecting of headstones or memorials will not be permitted until six months following the interment to allow settling of the ground. This does not apply to cremation plaques.
- n) Iron crosses, enclosed floral tributes, wire, or plastic fencing will not be permitted within any section of the Cemetery
- o) Railings, kerbing or edging stones around or on top of the grave is **not** permitted within the following sections of the Cemetery:
  - a. New and Old Garden of Rest;
  - b. Sections VIII, IX, X, XI, XII and the newer sections of the cemetery
- p) Railings, kerbing, and edging stones around or on top the grave **may** be permitted within the following sections of the Cemetery:
  - a. Section I, II, III, IV, V.
 Railings, kerbing, and edging stones will be considered on application to the Council, and consideration will be given to location, space, and impact of neighbouring plots.
- q) The Clerk must be informed and the work approved before any memorial or cremation plaque is removed from the Burial Ground for repair, modification, or additional inscription.

- r) The applicant or family is responsible for the care of the memorial. The Village Council cannot accept liability for any damage unless it is caused by its employees carrying out maintenance work.
- s) An appointment to confirm time and date is to be made with the Clerk before the installation of any memorial.

#### **10. Seats and Trees**

- a) An application should be made to the Clerk for permission to install a seat.
- b) There shall be no cultivation of any description or the placing of upstanding or other plaques vases or potted plants around trees or seats. Only the planting of crocuses and snowdrops is permitted in the grass around seats or trees.
- c) Any plaque for a memorial bench must comply with regulations 9 with regards to inscription and construction. Memorial Plaques on trees are not permitted.

#### **11. Lamps, Lanterns and Wind Chimes**

- a) The installation of lamps, solar lanterns, wind chimes, windmills or any decorative toy is not permitted anywhere within the burial ground.

#### **12. Deteriorating Memorials**

- a) Where a memorial has deteriorated, the Council will attempt to contact the applicant or surviving family in order that repairs can be carried out. Should this not be possible or the relatives fail to act in a reasonable time (six months) then the Council may remove any such memorials without further notice.

#### **13. Conveyance and Removal of Materials**

- a) All tools and equipment required for the digging, erection, reinstatement of graves or memorials shall be conveyed in the Burial Ground either by hand or wheelbarrow so as to cause minimal damage.
- b) Care must be taken to avoid any damage to roads, paths, or grassed areas in the Burial Ground.
- c) Equipment, materials, and spoil must be removed from the Burial Ground immediately on the completion of work at no expense to the Council.
- d) If after receiving seven days' notice in writing from the Village Council Clerk, the person for removing equipment, materials, and spoil fails to comply with this regulation the Council will clear the site, and the cost of such clearance will be passed to the person originally responsible for the work.
- e) All work in connection with memorials and reinstatement arising there from shall be carried out to the satisfaction of the Village Council.

#### **14. Vehicles**

- a) Vehicle access to the cemetery is restricted and on the condition that they remain on the roadway. Under no circumstances may vehicles be driven onto other parts of the Burial Ground.

#### **15. Health and Safety**

It is the responsibility of all employees, visitors and contractors attending the Burial Ground to take reasonable care of both their own and other people's safety and to co-operate with the Council as the Burial Authority, on safety matters.

## **16. Revision of Regulations**

A revision of the regulations, services and charges will be made when necessary and the revision made public.

Please refer to the following documents:

- Cemetery Fees and Charges
- Notice of Interment Form
- Memorial Application Form

The Village Council reserve the right to remove any items from graves which do not meet the requirements of this Cemetery Regulation Policy.