

Cemetery policy

1 Holy Trinity Churchyard and Binegar Cemetery

- 1.1 The walled Churchyard around Holy Trinity Church closed to new burials in 1964.
- 1.2 Binegar Cemetery is consecrated ground and lies outside the Churchyard walls.
- 1.3 The Cemetery is open all year round. There is no right of way through it.
- 1.4 It is an offence to create a disturbance, commit a nuisance, interfere with any grave, play games or sport, or stay in the Cemetery when it is closed (Local Authority Cemetery Order, 1977).
- 1.5 Visitors may not smoke or drink alcohol.
- 1.6 Any religious or other service requires the prior authorisation of the Parish Clerk.

2 The Burial Authority

- 2.1 Binegar Parish Council is the 'Burial Authority'. The Council manages the Cemetery and maintains the Churchyard.
- 2.2 The Parish Clerk manages all aspects of the Cemetery, administers burial requests, allocates grave spaces and keeps burial records.

3 Right to burial

- 3.1 A person with a Parish association may ask to purchase an *exclusive right to burial* in a grave.
- 3.2 It is not a purchase of land. It is a grant of a right to its owner to:
 - Be buried in the grave
 - Say who else may be buried there
 - Put up a headstone or memorial
 - Engrave inscriptions on the memorial
- 3.3 The full Council can authorise advance purchase but will not specify a grave space.
- 3.4 For new graves, the Clerk will always allocate the next available grave space.
- 3.5 The Council has two scales of fees: (1) for *Parishioners* (2) for others. *Parishioners* are those who died in Binegar or Gurney Slade (or who had moved away due to age or infirmity). It includes houses in adjacent parishes within 500m of the Binegar Parish boundary.
- 3.6 Ownership of an *Exclusive Right* lasts for 50 years from the date of the first interment. After that, the Council takes over responsibility for the memorial and grave.
- 3.7 An owner must produce the *Grant* if making a request to re-open a grave.
- 3.8 An owner may, on death, transfer an *exclusive right* to a person entitled to it. The Council may ask for evidence of entitlement (e.g. grant of probate) or for a statutory declaration.

4 Right to inter cremated remains

- 4.1 The Council operates the same policy for rights to a cremation plot as it does for burials. Paragraphs 3.1 – 3.7 apply.
- 4.2 The Council also permits interment of ashes in a grave.

5 Arranging a burial or interment

- 5.1 Anyone requesting a burial or interment of cremated remains must complete the Council's request form and give it to the Parish Clerk at least three working days before the date planned for the funeral.
- 5.2 The Clerk will acknowledge the request and state the fee. The Clerk will confirm the arrangement and allocate a grave space on receipt of the certificates required by law.

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- 5.3 The person organising the funeral must arrange for:
- A priest, minister or other person to officiate
 - Excavation of the allocated grave or cremation space
 - Sufficient bearers to convey the coffin with due reverence
- 5.4 Persons bear coffins at their own risk. The Council accepts no liability.
- 5.5 Interment may only take place when the funeral director confirms receipt of the Council's fee.
- 5.6 Fees are due within three working days of the funeral or interment.
- 5.7 No-one acting on behalf of the Council may accept a gratuity.
- 5.8 Other rules:
- The Council permits only one funeral or interment at any one time
 - The Council's permission is needed before scattering cremated ashes
 - No coffin or cremation container may be opened, interred open or removed
 - Only HM Coroner, the Courts or a Chief Constable may order removal of a body
 - Only the Home Secretary may order an exhumation
- 5.9 If, in the Clerk's opinion, there is a dispute or doubt over ownership of the *Grant*, the Council reserves the right to refuse, cancel or delay any burial or interment.

6 Memorials

- 6.1 The owner of an *exclusive right to burial* may apply to erect a memorial, cut or add an inscription, include a ceramic photographic portrait or carry out other work.
- 6.2 There is a fee payable with the application.
- 6.3 Applications must include the dimensions, specification and wording of an inscription.
- 6.4 The Council allows only masons listed in the *British Register of Accredited Memorial Masons* or in the *Register of Qualified Memorial Fixers* to erect or work on memorials.
- 6.5 The Council permits memorials only at the head of a grave.
- 6.6 Maximum dimensions and specifications allowed are:
- Headstone: 3'6" high and 2'6" wide (1060 x 760 mm)
 - Foundation: 3' long and 18" wide (900 x 450 mm)
 - Hardwood cross: 3'6" high, 20" wide, 4" deep (1060 x 500 x 100 mm)
 - Cremation tablet: 18" square (450 x 450 mm)
 - Ceramic portrait: 5" by 2.5" (120 x 60 mm)
 - All fixing (and re-fixing) of memorials must comply with BS8415
 - All stone memorials must be inscribed with the grave number
 - The name of the mason may be inscribed in a discrete location on the memorial
- 6.7 Memorials erected with the Council's permission remain at the sole risk of the owner. The Council takes no responsibility for any damage, however, caused.
- 6.8 An owner is responsible for keeping the memorial in good repair. If an owner fails to do this, the Council may repair or remove the memorial and recover costs.

7 Preparation of graves

- 7.1 Funeral directors are responsible for:
- Digging the grave, making a tidy temporary soil heap and back filling
 - Placing a marker on the grave that shows clearly the name of the deceased
 - Ensuring that digging machines do not damage grass and paths
 - Ensuring removal from the Cemetery of all surplus soil, materials and waste
 - Levelling the grave surface within 3 months of interment
 - Maintaining and levelling grass on the grave for 12 months

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7.2 Standard sizes and specifications are:

- Grave space: 7' long by 3' wide (2130 x 900 mm)
- - single depth 5' deep (1500 mm)
- - double depth 7'6" deep (2300 mm)
- Cremation space: 18" square (460 x 460 mm)
- All parts of a coffin must be at least 3' below ground level (1000 mm)
- 6" of compacted earth (150 mm) must separate a coffin from any below it

8 Maintenance and care

8.1 Memorial owners are responsible for the care of memorials they have erected.

8.2 The Council maintains grass, paths and all other aspects of the Cemetery and Churchyard.

8.3 The Council expects owners and those caring for graves to:

- Remove within 30 days any floral tributes etc. laid on the grave at the funeral
- Put dead flowers, wreaths, weeds etc. from graves in the refuse bin
- Use artificial flowers only from 1 November to 31 March, then removing them
- Keep the grave space neat and tidy

8.4 The Council reserves the right to remove any unsightly items from graves.

8.5 Council consent is required to plant, fell, prune or otherwise alter any tree or shrub. The Council reserves the right to prune, cut down or remove any unauthorised plants.

9 Memorial safety

9.1 The Council has overall legal responsibility for Churchyard and Cemetery safety and must ensure, as far as reasonably practical, it maintains both in a safe condition.

9.2 An owner of a memorial is responsible for its maintenance and safety.

9.3 A memorial mason is legally liable for the work he or she carries out.

9.4 The Council's policy and procedures follow the guidance from the *Institute of Cemetery and Crematorium Management (ICCM)*.

10 Safety inspections

10.1 The Council will:

- Inspect the safety of all memorials once every five years
- Give at least 28 days' notice of an inspection and invite the public to attend
- Communicate via its website and noticeboards, at the Cemetery, in the Parish magazine and by letter to owners (at the last known addresses)
- Monitor each year any memorials assessed as not fully stable
- Keep records of memorial inspections and results

10.2 A trained councillor will lead each five-year visual inspection and hand test of stability.

10.3 The Council prohibits lone working, requires wearing of suitable gloves and footwear and demonstration by the lead councillor of the safe technique of hand testing memorials.

10.4 Memorials will be assessed using the *ICCM* procedure and assigned a risk priority:

- Priority 1 – immediate action required to make memorial safe or stop public access
- Priority 2 – no immediate danger but not fully stable so monitor each 12 months
- Priority 3 – perfectly stable so inspect in five years

10.5 A dangerous or unstable memorial is one that will move and continue to fall to the ground with an exertion of a force of 25kg or less.

10.6 The Council will use a temporary support system to make safe such memorials.

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10.7 The Council will then:

- Place a notice on the memorial warning that it has been found to be unsafe
- Contact all the owners it can and ask each to make the memorial permanently safe
- Publish inspection results on its website, noticeboards and at the Cemetery

10.8 If needed, the Council will make a further attempt to contact owners after 3 months. With no response or a negative, the Council, at its discretion, will make the memorial permanently safe by partial burial, removal, repair or other means.

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