

Cyngor Tref Caereinion Llanfair

Llanfair Caereinion Town Council

Burial Regulations
Date of Issue: April 2022
Date of Next Review: May 2023

1. Introduction

1.1. The regulations apply to the Ewr Ddwr Burial Ground, Watergate Street Llanfair Caereinion SY21 7Bu

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

2. Contact Details

All funeral bookings, general enquiries and comments regarding the Burial Ground should be directed to the Town Clerk. Crown House, High Street, Llanfair Caereinion SY21 0QY. Tel 07767 267830 or email Llanfairownclerk@mail.com

3. Admission to the Burial Grounds

3.1 The Burial Ground is open to visitors every day of the year at all times.

3.2 The Burial Ground is a place of peace and quiet reflection. It is also a workplace. 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, rollerblades or similar are allowed in the Burial Ground. No consumption of alcohol or drugs may take place within the Burial Ground, and anybody under the effects of such substances will not be admitted.

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 Burial Ground immediately and may be the subject of subsequent legal action.

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

3.5 Dogs are permitted in the Burial Ground but must be kept on leads and under control.

4. General Regulations

4.1 No employee of the Council is allowed to take any gratuity, or to undertake paid private work of any kind in connection with the Burial Ground either in their own time or during their employed hours.

4.2 No person shall canvass or solicit business in the Burial Ground.

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

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4.4 The Council will publish a scale of fees and charges annually.

4.5 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. Graves

5.1 Graves are available in the Burial Ground, which is consecrated.

5.2 The location of grave spaces is allocated by the Clerk, based on the next available plot. A specific location may be requested in exceptional circumstances however this will only be awarded at the discretion of the Clerk.

5.3 The Exclusive Right of Burial for a grave can be purchased (leased) for a period to be agreed. The Exclusive Right of Burial also allows a memorial to be placed on the grave.

5.4 The Exclusive Right of Burial can only be transferred to another person or persons who are entitled and via the legal process adopted by the Council. An administration fee will apply to any such transfer.

5.5 Memorials will only be permitted on purchased graves. Memorials must conform to the regulations given at 9 below.

5.6 The types of graves available are Lawn and Cremated Remains Graves. Lawn Graves are laid to lawn and a headstone only is allowed. The Council also provides a memorial garden for the scattering of cremated remains, for which a fee is applicable and permission from the Council must be sought in advance.

5.7 All graves will be excavated and prepared for interment by the Council or their appointed contractors only. No other person or company will be allowed to undertake any excavation within the burial ground except with the express permission of the Clerk.

5.8 When undertaking a grave excavation, compliance with all relevant Health and Safety legislation and the 'Code of Safe Working practice for Cemeteries' 1 is required. The depth of each grave will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977.

5.9 Following the interment, the Council will level the grave and either re-turf or topsoil and seed it as appropriate to the season.

6. Coffins

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

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6.2 American caskets are larger than a standard coffin and have implications on the plot layout. Interments involving an American casket are therefore not permitted in a plot which is in the middle of a row and will only be permitted in a plot at the far end of a row, so that the plot size can be adjusted without impacting on other plots around it. If an interment in a pre-reserved plot mid-row involves an American casket, an alternative plot may have to be arranged.

6.3 An additional fee may apply for interments with American caskets.

7. Booking of Interments

7.1 A provisional booking for a funeral may be made by telephone to the Council Office or via email to the Clerk. A minimum of one week's notice is required by the Council.

7.2 The provisional booking should be followed up by the submission of a completed Notice of Interment (form supplied by the Town Council) to the Council Offices at least 48 working hours in advance of the intended date and time of the funeral. Receipt of the fully and correctly completed Notice of Interment will act as confirmation of the provisional booking.

7.3 The Council will liaise with the Funeral Directors before confirming any bookings. This is to ensure there are no clashes with other activities at the Church, which might impact the funeral or access to the Burial Ground.

7.4 In respect of private graves, the deed of grant for the Exclusive Right of Burial will be registered in the name of the applicant for the burial indicated on the Notice of Interment and signed by that person. It is the responsibility of the applicant to notify the Council of any subsequent change of address, to ensure they can be contacted in case of any future issues with the grave.

7.5 In the event that there are multiple names on the Notice of Interment form then the Exclusive Right of Burial will be registered in all these names and any future permission on that grave, such as erection of a memorial, must be given by all registered owners.

7.6 The exact size of the coffin, casket or container (including its depth) 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.). The Council will subsequently add a suitable amount to the given size in order to determine the dimensions of grave to be excavated.

7.7 As much information relating to the funeral as possible must be given to the Council in advance, especially if it is unusual, for example a large number of mourners expected, motorbike cavalcade, jazz band, piper etc.

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7.8 If a pre-purchased double-depth grave is to be reopened for a further interment, the written permission of the registered grave owner must be given, except where the burial is that of the registered grave owner.

7.9 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.

7.10 The Certificate given by the Registrar of Births and Deaths or an order of the Coroner, or a Certificate of Cremation must be delivered to the Council Offices prior to the funeral.

7.11 The Council will determine the appropriate fees to be paid for the funeral, which must be paid fully in advance.

8. Interments

8.1 Interments will be permitted between 9am and 6pm on any day by arrangement except Christmas Day and Boxing Day.

8.2 All interments will be subject to the control of the Council's designated officer.

8.3 The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving interment in the event that it impacts on another service.

8.4 It is the responsibility of the person making the interment arrangements to organise a Minister or Officiate for the interment if one is required.

8.5 Any floral tributes from the interment 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 Council staff (unless family have already removed them).

9. Memorials

9.1 The Council has adopted the ICCM Management of Memorials Policy² dealing with current and future memorial installations, safety inspections and making safe unstable memorials. Masons carrying out work in the burial grounds must comply with the Council's Management of Memorials Policy.

9.2 All memorials fixed in the burial ground must comply with British Standard 8415 (Latest version) and the BRAMM3 Blue Book (Latest version).

9.3 Ground anchors and fixing systems used in the construction of memorials must have a certificate of compliance with BS8415 (Latest version).

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

9.5 Memorials will only be permitted on purchased graves. No memorial will be permitted on a public grave.

9.6 Wooden memorials will only be permitted as a temporary marker, for a maximum period of 12 months only.

9.7 Memorials other than those fixed by a BRAMM or other accredited memorial mason are not allowed.

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

9.9 Memorials must be constructed of materials suitable to the environment and be sustainable for a long period of years. The Council reserves the right to reject an application for any memorial that it deems unsuitable.

9.10 The maximum height of lawn memorials is 3', the maximum width (of base) is 760mm and the depth is 300mm. The memorial must be a minimum of 75mm thick. On cremated remains the maximum height of a memorial is 3' and the maximum width (of base) is 750mm'.

9.11 The memorial mason must inscribe the company name only on the reverse of the stone towards the base in lettering not more than 1" 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 50mm high.

9.12 Memorial masons must remove all arising from the burial ground 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 burial ground 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.

9.13 No further memorials will be permitted in either rose garden or on the surrounding wall, without the Clerk's permission.

9.14 If there are two family graves side by side, a memorial may be placed on one of the graves and have both names on. Alternatively, each grave can have a memorial on. No memorials are permitted in between two graves.

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9.15 Lawn graves must be allowed to settle (normally at least 6 months) before a memorial can be erected. Memorials on cremated remains graves may be erected at the time of interment.

10. Care of Graves and Memorials

10.1 All memorials are erected at 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 period of the grave.

10.2 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 affect 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.

10.3 Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site. Garden waste and used rags must be placed in appropriate waste bins or compound.

10.4 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 damage to them howsoever caused.

10.5 Grave owners will be permitted to place personal items on the base of the headstone, either side of the memorial and/or on a one-foot strip to the front of the memorial. Items are not permitted on the length of a lawn grave. Grave owners are requested to adhere to this rule so as to enable maintenance of the grass areas without risk of damaging any personal items.

10.6 No kerb stones are permitted around the edge of graves as these interfere with maintenance of the site.

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0.7 No trees or shrubs may be planted on graves. The Council may remove any plants that it considers unsuitable or that infringe on other grave spaces or interfere with the Council's maintenance work.

10.8 Glass vases and decorative stone aggregates are not permitted on or around memorials.

10.9 The Council may refuse to maintain a grave which contains objects which are not permitted and where there is a risk to the personal objects or to the Council's or contractor's machinery or staff.

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10.10The Council reserves the right, after suitable notice to the family, to remove such items which do not comply with these Burial Ground regulations and are deemed to present a risk to other visitors or to the Council's machinery or staff.

11. Review

A review of the policy shall be undertaken each year (or as appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full Council for approval.

R A Robinson
Town Clerk
April 2022