

**Blackawton Parish Council**

**Blackawton Cemetery Regulations**

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**Established 1894**

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**1. Introduction**

- 1.1. These regulations apply to the Blackawton Cemetery which is managed by the Council.

**2. Contact Details**

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

Blackawton Parish Clerk

The role is part-time. The Clerk is usually available Tuesday from 13:00 to 17:00, and on Wednesday and Friday from 09.00 to 17.00.

- 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**

The Cemetery is open for visitors every day of the year.

- 3.1. The Cemetery 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, roller blades or similar are allowed in the cemetery. No consumption of alcohol or drugs may take place within the burial grounds, and anybody under the effects of such substances will be required to leave.
- 3.2. 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.
- 3.3. Children under the age of 14 are welcome in the Cemetery but must be supervised by a responsible adult. It is particularly important that children are not allowed to climb on any monuments within the Cemetery.
- 3.4. Vehicles are permitted to park on the paved parking area. Burial service contractors must avoid parking so as to cause a nuisance or damage to any graves or grassed areas. The Council or any of its employees cannot accept responsibility for the loss or damage to any vehicle or its contents whilst in the Cemetery.
- 3.5. Visitors with disabilities or other special requirements should contact the Manager/Clerk who will be pleased to assist.

**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 Cemetery either in their own time or during their employed hours.

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- 4.2. No person shall canvass or solicit business in the burial grounds.
- 4.3. A resident is defined as somebody who before his/her death was, an inhabitant or parishioner of the Parish of Blackawton or, in the case of a stillborn child, where one of the parents is, or at the time of their death was, such an inhabitant or parishioner. Such residents are eligible for burial in the Cemetery.
- 4.4. To be eligible for burial in the Cemetery as a qualifying former resident the person must have been an inhabitant or parishioner of Blackawton for a period of not less than three years and have ceased to be resident in the parish due to their bodily or mental infirmity or sickness.
- 4.5. The Council publishes a scale of fees and charges. Fees charged to qualifying former residents will be double the fee charged to residents.
- 4.6. All fees for interments or memorial works must be paid in full to the Council in advance.
- 4.7. 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 cemetery are all in consecrated ground The selection of grave spaces shall be at the final discretion of the Council, but the wishes of applicants will be met wherever possible.
- 5.2. Every interment shall take place in a private grave. Private graves are graves to which an Exclusive Right of Burial has been issued.
- 5.3. The Exclusive Right of Burial for a grave can be purchased for a period of 100 years. A separate application and fee payment are required for permission to place a memorial on the grave.
- 5.4. The Exclusive Right of Burial can only be transferred to another person or persons via the process required by law.
- 5.5. BPC follows the Local Authorities' Cemeteries Order 1977 and ICCM Guidance for transfers of entitlement to exclusive right of burial.
- 5.6. Memorials must conform to the regulations given at 9 below.
- 5.7. The types of graves available are Lawn Graves and Cremated Remains Graves. Lawn Graves are laid to lawn and an headstone only is allowed. Cremated Remains Graves are for the burial of cremated remains only.
- 5.8. 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 cemetery/burial ground

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except with the express permission of the Manager/Clerk. 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 grave must be made level and either re-turfed or made good with topsoil and seeded 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. The council also permits shroud burial.

**7. Booking of Interments**

- 7.1. A provisional booking for a funeral may be made by telephone to the Council.
- 7.2. The provisional booking must be followed up by the submission of a completed Application for Burial form to the Council at least 72 working hours in advance of the intended date and time of the funeral. Applicants will be notified in writing by email or mail of confirmation of the booking.
- 7.3. 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.
- 7.4. As much information relating to the funeral as possible must be given to the Council in advance, especially if it is unusual, eg large number of mourners expected, motorbike cavalcade, jazz band, piper etc.
- 7.5. 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, except where the burial is that of the registered grave owner.
- 7.6. It is the responsibility of the Funeral Director 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.
- 7.7. The Certificate given by the Registrar of Births and Deaths or an order of the Coroner must be delivered to the Council prior to the funeral.
- 7.8. The Council will determine the appropriate fees to be paid for the funeral, which must be paid fully in advance.

**8. Interments**

- 8.1. Funerals will normally only be permitted Monday to Friday 09.30 – 16.00 (excluding Bank or other Public Holidays). It may be possible to arrange funerals outside of these times subject to additional cost. Please contact the Manager/Clerk if a time outside of the permitted hours is required.
- 8.2. All funerals will be subject to the control of the Council's designated officer.

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- 8.3. The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service.
- 8.4. It is the responsibility of the Funeral Director to organize a Minister or Officiant for the funeral if one is required.
- 8.5. Any floral tributes from the funeral will be placed on top of the grave following backfilling, and will remain in situ for a maximum of 14 days before being cleared by Council staff (unless family have already removed them).

**9. Memorials**

- 9.1. The Council will adopt a Management of Memorials Policy 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 Cemetery must comply with British Standard 8415 (Latest version) and the BRAMM 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).
- 9.4. Only those memorial masons businesses and those memorial masons that carry out work to the current British Standard will be able to work in the Cemetery.
- 9.5. Fences cannot be erected around a grave nor the space defined and no objects must be placed on the length of the grave.
- 9.6. Temporary memorials are not allowed, other than wooden crosses.
- 9.7. Temporary wooden crosses, of a suitable size, are permitted until such time as a permanent memorial is erected or for a period of 18 months, whichever is the sooner.
- 9.8. Before any memorial may be erected or works undertaken to an existing memorial, an application must be submitted to the Manager/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. Memorials must be constructed of materials suitable to the environment. The Council reserves the right to reject an application for any memorial that it deems unsuitable.
- 9.9. The maximum height of lawn memorials is 3', the maximum width is 2' and the depth is 12". The memorial foundation must be a minimum of 3" thick. The memorial headstone must be of a plain lawn memorial design.

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A single flat headstone is preferred. On cremated remains graves a single recumbent tablet not exceeding 18 inches by 15 inches is permitted.

- 9.10. 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 1" high.
- 9.11. 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.

**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 lease period of the grave. The Council reserves the right to repair or make safe any memorial which becomes unsafe or falls in to 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 effect 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.
  - 10.2. Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site.
  - 10.3. Vases, planters or similar pots must be made of stone or similar so as not to cause danger to the contractor when mowing or strimming the grass around the grave. Any items left on graves are at the owners' risk and the Council cannot be held responsible for any 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 Cemetery or which interfere with the Council's maintenance of the site.  
Grave owners will be permitted to place personal items on a one foot strip to the front of the memorial. 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. Any objects will be removed if they become unsightly.
11. No planting is permitted on graves.

**12. Scattering of Ashes**

- 12.1. It is possible to scatter ashes in the Garden of Remembrance Section A of the Cemetery or on a family grave plot.
- 12.2. No fee is levied.
- 12.3. Prior permission must still be sought via the Parish Clerk.
- 12.4. The Council will keep a record of the applicant and of the name and details of the deceased.

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**Versions**

These Regulations were approved by Blackawton Parish Council on 5 March 2019.

V2 - The Regulations were updated to include section 12 on 4 June 2019.

V3 – Updated to include method for transfers of entitlement to exclusive right of burial (MN 74/21, 4 May 2021).

V4. S.5.8 updated as approved July 2021