

# WICKHAM MARKET PARISH COUNCIL

## Cemetery Regulations

***FINAL DRAFT***  
**October 2022**

The Parish Council is a burial authority for the purposes of Article 2 of LACO 1977.

These regulations apply to Wickham Market Parish Council's Cemetery served off the High Street, Wickham Market, Suffolk. This is a lawn cemetery with two Gardens of Remembrance and a brick and tiled Bier House. There is an access drive from the west side of the B1438 south of the village centre leading to a small parking and turning area.

These regulations are made by the Parish Council pursuant to Article 3(1) of LACO 1977 to ensure the proper management, regulation and control of the Cemetery and were adopted by the Parish Council on **Monday \*\*\* \*\*\*\*\* TBA**

### DEFINITIONS AND INTERPRETATION

In these Regulations, unless the context otherwise allows, the following words and expressions have the meanings given to them.

Cemetery	The cemetery (including Gardens of Remembrance) to the south of Wickham Market in Suffolk and to the west of the B1438
Civil Emergency	An event or situation which threatens or presents serious damage to human welfare or the environment
Deceased	A person whose body or ashes are interred within the Cemetery
LACO 1977	The Local Authorities' Cemeteries Order 1977 as amended or superseded from time to time
NAMM	National Association of Memorial Masons Regulations 2018
Parish Council	Wickham Market Parish Council

[Plan Appendix A] The Plan of the Cemetery edged red on the attached at

Commented [AW1]: Plan to be provided using Parish Online or I can download an OS map to scale adding title etc?

Relative	In relation to the Deceased: <ul style="list-style-type: none"><li>• A husband, wife or civil partner</li><li>• A child or grandchild</li><li>• A grandparent</li><li>• A parent or step-parent</li><li>• A step-child or step-grand- child</li><li>• A brother or sister or half-brother or half-sister</li><li>• An uncle or aunt or a child thereof</li></ul>
Tablet	A memorial that may be placed in the Garden of Remembrance within the Cemetery
Memorial	A memorial including the headstone and tablet that may be placed on a grave in the Cemetery following a burial

In these Regulations, unless the context otherwise allows,

- Reference to any sex includes any other sex
- Reference to the singular includes the plural and vice versa
- References to legislation or official recommendations or guidance refers to that legislation, recommendation or guidance as made or issued at the date hereof, as may amended from time to time

## **CEMETERY**

### **1. Grant of Exclusive Right of Burial**

The Grant of Exclusive Rights of Burial for a period not exceeding 50 years, in the case of a burial, are purchased on payment of the appropriate fee to the Parish Council. A Grant of Exclusive Right of Burial will be issued to the purchaser.

An Exclusive Right of Burial or transfer of the right for any grave, shall be deemed valid when the same is verified and registered by the Parish Council on the form supplied by the Cemetery Clerk.

Where this has not been completed prior to the death of the holder of the grant the Parish Council will ask for evidence that Exclusive Right of Burial made up that part of the estate, either by the sole remaining beneficiary or by letter from the executors or other evidence which may be taken in good faith that the right has transferred to the enquirer. The Parish Council may ask for evidence from the executor or the administrator of the estate.

### **2. Burials and Memorials (including Garden of Remembrance)**

No burial shall take place or cremated remains interred without the permission of the Parish Council. No headstone, tablet or other memorial shall be placed in the Cemetery or further inscription be made at a later time on any headstone or other memorial without the written permission of the Parish Council on the form supplied by the Cemetery Clerk.

### **3. Notice of Interments**

Not less than 48 hours' notice shall be given of any interment and if such interment is wanted for a Monday (Tuesday if Monday is a Public Holiday) the Notice must be given before 13:00 hours on the previous Friday (Thursday if Friday is a Public Holiday).

All Notices of Interment must be provided by the undertaker either by letter, email or telephone. The responsibility for any error therein is that of the person signing the notice, particularly so in cases where either the wrong fee is charged as a consequence, or where additional fees are afterwards incurred.

### **4. Hours of Interment**

The normal hours for interments are as follows:

Mondays to Fridays 10:00 to 16:00 hours.

No interment shall take place outside these hours, or on weekends, Good Friday, Christmas Day or a Bank Holiday other than by exception and as agreed in writing with the Parish Council and on payment of an appropriate additional fee.

### **5. Official Plan**

Details of Cemetery burials and memorials shall be kept by the Cemetery Clerk and may be inspected through contact with the Parish Clerk.

### **6. Payment of Fees and Charges**

All charges and fees payable for anything in connection with the Cemetery shall be paid before an interment takes place, or any work commences

### **7. Receptacles for flowers and other tributes**

This is a lawn cemetery whereby the grassed areas between the headstones are expected to be level with the surroundings and clear of impediments other than at the headstone. Six months after the interment any tributes, floral displays and receptacles must be removed from the length of the plot. They can be left at the headstone end of the plot prior to the insertion of a headstone or tablet. After six months the Parish Council reserves the right to remove tributes which have been left on or in the plot or lawn area.

Apart from approved memorials no mementos or other items shall be placed on the length of the plot..

The Parish Council also reserves the right to remove any dead, faded flowers, wreaths, vases, pots or ornamentation without notice, if in the Parish Council's opinion, they are hazardous and/or unsightly.

The Parish Council request that where possible all plastic and artificial packaging materials are removed from bouquets (whether real or artificial) and pots prior to laying flowers and other floral tributes.

Glass or plastic shades, battery, solar and halogen lamps, balloons and any artificial ornamentations are not to be placed on any plot or memorial tablet.

### **8. Headstones/Monuments and Inscriptions to be approved**

The Parish Council advises that masonry should not be placed on graves until at least six months after interment. This is to allow for settlement of the soil to take place. The ground should be level at the time of the installation of the headstone, this may mean removal of surplus soil or topping up with topsoil. See section 10.

**Memorial Garden;** Memorials on plots for cremated remains shall be in the form of a single tablet measuring 30 x 46 centimetres, placed centrally on the plot. The actual plot size is 45 x 60 centimetres.

The tablet should not exceed 10 centimetres high at one end with a flat area and tapering down to 5 centimetres at the other end. A hole where a receptacle for flowers can be placed is permissible.

All installations must be in accordance with current NAMM recommendations 2018.

**Burial areas:** Memorials on graves shall be in the form of a headstone and shall comply with the following dimensions:

- Height- maximum 1 metre, including any base.
- Width - maximum 76 centimetres
- Depth of plinth - maximum 10 centimetres

The stonemason shall engrave the rear foot of the headstone with the Plot number and the Stonemason Anchor.

All installations must be in accordance with current NAMM (National Association of Memorial Masons) recommendations 2018.

No monument, tablets or headstones shall exceed the above measurements.

A person or stonemason shall not erect or fix any monument or gravestone, tablet, or make any inscription, or place any vase bearing an inscription, in the Cemetery, without the approval of the Parish Council.

They shall give the Parish Council a description and measurements of every such monument, gravestone or tablet with copies of the proposed inscription thereon,

together with a specification of the material and dimensions to be used in writing and the appropriate fee.

No monument, headstone or tablet will be allowed over any grave to which the Grant of Exclusive Right of Burial has not been purchased.

The Parish Council will remove any unauthorised memorials, kerbs, railings, ornamentation or horticultural decoration.

9. The Parish Council may recover the cost of removal of these items from the holder of The Grant of Exclusive Right of Burial to that grave, in accordance with the powers and procedures set out in Article 14 of LACO 1977 **Repairs to Graves and Monuments**

The owners must keep all monuments, headstones, tablets, kerbs or other memorials in good repair.

In the event of any such monument becoming dangerous, defective or illegible from want of repair or neglect, the Parish Council may, in accordance with the powers and procedures set out in Article 16(2) and Schedule 3 of LACO 1977, give notice to the owner or owners, requiring him or them to repair or remove any such monument. If, after the expiration of such notice, the owner or owners have failed to repair or remove any such defective or dangerous monument or if the Parish Council is unable to trace the owner(s) after taking such reasonable steps as it may consider necessary for that purpose, then the Parish Council may remove the same without any rights of the owner or owners to compensation for so doing.

#### **10. Surplus Soil, plot soil level and grass**

The surplus subsoil excavated from any grave is to be deposited within the designated spoil bunker provided by the Parish Council. If this is full the undertaker should notify the Parish Council. No surplus soil, spoil or other arisings are to be spread anywhere else within the Cemetery. This creates an eyesore and damages the wild flora, grass and trees. Topsoil should be deposited in the designated area in the extended cemetery (round composteer next to southern boundary hedge) and can be used for topping up graves as required.

Once the headstone is erected the burial plot should be made level with the lawn and grassed, either the original turf replaced and/or additional seeding. As the cemetery is a Lawn Cemetery the grassed area should ultimately be level and without impediments so it can be cut as a lawn.

#### **11. Damage**

If any damage is done to the Cemetery or any part of it by bringing in any materials, headstones, or monument, or from any other cause, the person or persons doing such damage will be held responsible for the same and the Parish Council may recover the cost of repairing such damage from such person or persons and, in addition, take proceedings under Article 18 of LACO 1977.

## **12. Admission of Workmen**

No workman employed in fixing, painting or restoring monuments or gravestones should visit the Cemetery to work on Saturdays, Sundays, Christmas Day, Good Friday, Public Holidays or on any other day before 09:00hours or after 16:00 hours; unless this is specifically agreed with the Parish Council prior to the visit.

## **13. Approved Contractors' conduct in Cemeteries**

While carrying out work within the Cemetery all Approved Contractor's shall ensure that they:

- (a) take all necessary precautions to protect the grass, trees, plants, walls, paths and adjacent memorials or vaults from damage. Any damage caused shall be made good at the Approved Contractor's expense; and
- (b) completely remove all materials, tools and rubbish from the Cemetery when work is not in progress.

## **14. Planting**

The Parish Council does not permit the placing and/or planting of any other materials in any part of the Cemetery. If a family or friend would like to donate or plant a memorial tree then please contact the Parish Council as set out below at Section 20.

## **15. Grass Cutting**

The Parish Council's authorised contractors are contracted to carry out grass cutting, tree and general management for the Parish Council. The Parish Council carries out other maintenance work within the Cemetery.

## **16. Conduct**

All persons must conduct themselves in a decent, quiet and orderly manner and must not:

- 1) Create any disturbance or nuisance
- 2) Interfere with any burial.
- 3) Interfere with any grave, vault, tomb, stone or other memorial or floral tribute.
- 4) Play any game or sport.
- 5) Cut through the boundary hedges into the adjacent field. There is no public right of way through the Cemetery in accordance with Article 18 (1) (e) of LACO 1977.

- 6) Ride a bicycle or use any other recreational equipment.
- 7) Deposit litter or spent floral tributes other than in the receptacles provided for such purposes.
- 8) Enter the Cemetery under the age of 12 years unless accompanied by an adult.
- 9) Conduct themselves in a manner likely to cause offence whereupon the Parish Council and/or their employees have the right to remove them.

### **17. Vehicles**

Any vehicles, including bicycles, entering the Cemetery must:

- (a) not exceed 5mph;
- (b) be driven with due care and attention;
- (c) be parked only in the designated area;
- (d) not to be driven or parked on the grassed areas.

### **18. Dogs**

Anyone visiting the cemetery with a dog/s shall ensure that:

- (a) the dogs are kept on a lead;
- (b) the dogs do not interfere with, or disturb, any object or any other person in the Cemetery;
- (c) dog fouling must be cleaned up and removed from the cemetery. Failure to do so will lead to prosecution under the 'Clean Neighbourhoods and Environment Act 2005'.

### **19. Reservations**

The Parish Council reserves the right from time to time to make any alteration or addition to these regulations or to the schedule of fees and charges.

The Parish Council reserves the right to vary these Regulations at any time without notice in the event of a Civil Emergency.

The Parish Council does not hold itself responsible for any accident or damage to any gravestone or monument occasioned by storm, lightning, vandalism or any other cause except for any accident or damage caused by the negligent action or inaction of the Parish Council or those acting on its behalf.

### **20. Donations**

If you wish to make a donation towards the costs of the Parish Council upkeep and management of the cemetery including new trees, spring bulbs, building and boundary repairs and other improvements please contact the Parish Clerk.

If you wish to enquire about planting a Memorial Tree please contact the Parish Clerk.

Please contact Wickham Market Parish Council Clerk if you have any queries, comments or complaints.

Mr A Besly  
telephone  
email

Wickham Market Parish Council  
Cemetery Regulations  
Date contact etc

AW/VP draft March 29th 2020  
Later tweaks/tidy up August 17<sup>th</sup> 2020  
April 12<sup>th</sup> 2021 taking into account Linda's comments

Minor corrections July 26<sup>th</sup> 2022

Note the format of this document was based by Jo Peters on ESC template which in turn is based on Kirklees MBC.  
This needs to be placed in a WMPC template, plus new logo

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