

**Lambley Parish Council**

**Cemetery Guidelines & Regulations**

16th September 2024

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7. **Introduction**

Lambley Parish Council manages and maintains the Lambley Cemetery. Whether you are passing by or visiting the final resting place of a loved one, we offer you a heartfelt welcome and hope that you draw comfort from this tranquil location where many people with connections to the ancient village of Lambley, and some with none, have found peace.

To preserve the special atmosphere of this lovely location and to ensure that high standards of service are maintained, the Council requests that you abide by the rules set out below.

The Council reserves the right to make further rules or regulations or any alterations which it may think necessary.

**2.0 Address, contacts and opening hours**

2.1 Address: Lambley Cemetery, Park Lane, Lambley, Nottinghamshire, NG4 4QJ

2.2 Any enquiries or complaints must be made in writing to the Clerk of Lambley Parish Council:

 Clerk: Ewa Strumnik

T: 07725 834442

E: clerk@lambleyparishcouncil.org.uk

2.3 The Cemetery is open every day during daylight hours.

**3.0 Interments**

3.1 Burial Procedure

3.1.1 Notices of Interment and all associated works orders must be on the official forms which can be obtained by your funeral director, by contacting the Lambley Parish Council Clerk. The Council will not accept any responsibility for information communicated otherwise than on the appropriate forms.

3.1.2 All bookings are provisional until the Clerk receives the fully completed application forms. Telephone bookings are provisional and must be confirmed by submission of the fully completed application form within 2 working days.

3.1.3 The Council will not accept responsibility for information that has not been submitted on the correct forms, or for paperwork lost in the post.

3.1.4 Interments and burial of ashes will not be allowed to proceed if the Clerk has not received the Registrar’s Certificate of Disposal, Coroner’s Order for Burial, cremated remains certificate or payment prior to the interment.

3.1.5 The Council will be responsible for identifying the grave space. Only the Council’s nominated contractor will undertake all excavation work at the Cemetery. Back filling of graves may be permitted with the Council’s consent (including cremated remains plots). In certain areas of the Cemetery, it may only be possible to undertake a partial backfill due to health and safety requirements, where possible, this will be notified before the interment takes place. It is the responsibility of the Funeral Director or other appropriate person to make arrangements directly with the approved gravedigger.

3.1.6 Graves will initially be excavated to take 2 coffins, however, due to ground conditions this may not always be possible. The Council is not under any duty to provide a further burial space in the event of shallow depth.

3.1.7 The Council reserves the right to place excavated spoil on graves adjacent to those that need to be opened for an interment, without notice. The spoil will be removed immediately following the interment and the area will be restored to its former condition.

3.1.8 Coffins, European and American style caskets are accepted however Lambley Parish Council is working towards becoming an environmentally sustainable Council and therefore bio-degradable coffins and caskets are preferable.

3.1.9 Responsibility for making arrangements for the attendance of priests, ministers or other persons to officiate at a service is with the Funeral Director or the person(s) arranging the burial. The Council takes no responsibility for these arrangements.

3.1.10 The time fixed for a funeral is the time when the procession is to arrive at the Cemetery gate. It is important that the time is strictly adhered to, in order to prevent one funeral interfering with another. In the event of anticipated late arrival of the cortege, the Clerk must be notified by telephone.

3.1.11 In the case of a public or military funeral, or any funeral where more than 50 mourners are expected, notice must be given at the time of booking. Please be aware that there is limited parking at the Cemetery.

* + 1. No coffin shall be opened within the grounds without prior consent from the Clerk, obtained at the time of arranging the funeral.
		2. All memorials must be removed by a nominated stonemason in all cases where a grave is to be re-opened, this may also include the burial of cremated remains where necessary. It is requested that the memorial is removed within 48 hours of the booking; however, a minimum of at least 5 working days before the funeral is essential due to working patterns within the Cemetery. Removal will be organised by the funeral director booking the funeral or by the grave owner if booking direct. All removals require the prior approval of the grave deed owner.
		3. After interment the burial will be recorded in the Council’s Burial Register.
	1. Exclusive Rights to Burial
		1. The purchase of a grave space is subject to the approval of the Council.
		2. Ownership of an Exclusive Right of Burial for a deed does not give any ownership whatsoever in respect of actual land/grave space. The land remains in the ownership of Lambley Parish Council. The owner of the Deed has the right to:-
1. Be buried in that grave, and to
2. Authorise further burials(s) in that grave where space is available, or the interment of cremated remains in that grave; and to
3. Erect or place a memorial on that grave subject to the Rules and Regulations of the Council relating to memorials; and to
4. Have inscriptions/additional inscriptions placed on a memorial on that grave subject to the Rules and Regulations of the Council relating to this matter.
	* 1. Possession of a deed does not grant ownership of an exclusive right of burial.
		2. Grave deeds will be issued to the person applying as the registered owner of the Exclusive Right of Burial upon full payment. The grave will remain in the possession of the Council until full payment is received.
		3. On the purchase of the Exclusive Right of Burial in a grave, the Council shall issue a Deed of Grant of Right of Burial to whom, or on whose behalf the Exclusive Right of Burial has been purchased, and such named person shall be registered in the Purchased Grave Register as being the owner of the Deed.
		4. The Exclusive Right of Burial shall be for 50 years from the date of purchase (subject to change). Expired Rights may be extended for further periods on payment of the fee applicable at that time.
		5. The Council will determine the location of all graves.
		6. The owner of the Exclusive Right of Burial must ensure that the Council is informed of any change of address.
		7. No interment shall take place until the Council is satisfied the grave is owned by the person/estate making the application for burial and the Notice of Interment has been received.
		8. In the case where a Deed of Grant has been lost or mislaid then the grave will be opened on the application of any person who is entitled thereto making a statutory Declaration and giving an indemnity to Lambley Parish Council, the application for which is found on the Interment Form.
		9. The Cemetery is bordered by mature tress and shrubs which contribute to its peaceful setting. Trees and shrubs are maintained by the Council. The Council takes periodic advice of an arboriculturist on the health and condition of trees within the Cemetery. Where the Council is advised by the arboriculturist that grave excavation will cause damage to a mature tree, The Council reserves the right to decommission that grave and to provide the owner of the Exclusive Right of Burial with an alternative grave space.
	1. Transfer of Deed of Ownership
		1. The owner of an Exclusive Right of Burial may transfer/assign ownership to another person using forms provided by the Council or by submission in writing. Applications to transfer deeds within the first five years will incur a charge if the ownership changes from a resident of Lambley to a person residing outside of the area.
		2. If the deed holder is deceased, the Exclusive Right of Burial forms part of their estate and is dealt with in accordance with their Will (if there is one) or intestacy rules (if there is no Will). The Council can transfer ownership of an Exclusive Right of Burial on the instruction of the Executor or Personal Representatives of the deceased. However, the law in this area can be complex and it is strongly advised that a solicitor be consulted if there is any doubt about ownership in these circumstances.
		3. The Council must be notified and approve any transfer or assignment to update the Register of Deeds.
		4. Where no interment has taken place in a pre-purchased grave the Council may agree to buy the Right of Burial back. In such cases the Council will pay the original purchase price.
	2. Cremated Remains
		1. The cremated remains certificate issued by the Crematorium where the cremation took place must accompany any application for burial of cremated remains.
		2. Scattering of Cremated Remains is not permitted.
		3. The interment of cremated remains in a grave is not permitted without the prior consent of the owner of the Exclusive Right to Burial. This requires the owner to complete and sign a Notice of Interment Form which is available on the Council’s website.
		4. Ashes must be buried in a suitable container, in the presence of the gravedigger, in the grave or under the concrete plinth if present.
	3. Requirements of Funeral Directors and Companies

3.5.1 All Funeral Directors and Companies are required to provide to the Council, upon request the following documentation:

1. A detailed method statement showing how work will be undertaken and what measures will be taken to minimise the risk of personal injury or damage to property. The statement must cover every aspect of work the Funeral Director or their Company are likely to undertake in the Cemetery, including vehicle access and movement within the Cemetery.
2. A copy of their incident reporting procedure in accordance with The Reporting of Injuries Diseases and Dangerous Occurrence Regulations 1995 (RIDDOR).
3. A copy of their Health and Safety Policy and Codes of Practice.
4. On a yearly basis - a copy of their Public and Employee Liability insurance with at least £5 million cover. Copies to be provided to the Council upon policy renewal.
	* 1. The working method statement will be used as a control measure on work assessments. Council Officers will monitor these.
		2. Failure to provide the requested documentation within 14 days of the Council’s request without reasonable explanation will result in access to the Cemetery being denied.

**4.0 Headstones**

* 1. General

4.1.1 Prior permission to place or erect any form of memorial in the Cemetery grounds must be obtained from the Council.

4.1.2 The grave Deed owner must approve any application to erect, amend or remove a memorial.

4.1.3 Headstones may only be placed on graves where an Exclusive Right of Burial has been purchased.

4.1.4 The appropriate fee should be paid at the time of application. For all new headstones, the right to erect will be for a period of 30 years; rights may be extended for a further 30 years on payment of the fee applicable at the time.

4.1.5 Any headstone erected in the Cemetery in contravention of these Regulations, without written permission or when the Exclusive Right of Burial has expired, will be removed by the Council at any time without notice.

4.1.6 All headstones shall be fixed in accordance with the National Association of Memorial Masons’ Code of Working Practice (NAMM). All work will be undertaken to the absolute satisfaction of the Council’s Officer. Work judged to be unsatisfactory must be rectified within one working day of notification by the Council Officer; if the work is not brought up to satisfactory quality within this time period the Council reserves the right to remove the headstone and to invoice the Stonemason or Deed owner for the cost of this work. At this point the responsible Stonemason may be refused future entry into the Council’s Cemetery.

4.1.7 All headstones are to be erected in line with existing headstones.

4.1.8 Headstones must be of a material approved by the Council.

4.1.9 Before the erection of any headstone, a drawing with any proposed inscription must be submitted to the Council for approval. The type(s) of material to be used shall be stated, together with exact dimensions and all associated details. The application must be duly signed and dated by the registered owner of the Exclusive Right of Burial. It is advisable to allow twenty-eight days for approval to be given.

4.1.10 No headstone may be fixed without the formal written approval of the Council.

4.1.11 No inscription may be cut, or work of any kind undertaken to any headstone within the Cemetery without the prior written consent of the Council.

4.1.12 All headstones shall be in accordance with the designs submitted to and approved by the Council; they must not be altered or interfered with after installation. If alterations are required, plans must be re-submitted to the Council and work may only proceed when written authorisation is granted.

4.1.13 No memorial shall be removed from a Cemetery for the purpose of cutting an additional inscription unless and until formal written approval of the Council has been given in respect of the proposed addition(s). Anyone contravening this Regulation will not be allowed to carry out any further work within the Cemetery.

4.1.14 All work shall be subject to the directions of the Council and any person carrying out works must adequately protect grass/turf, borders and adjoining memorials. On completion of works all surplus materials must be removed and the whole site cleaned and left in a satisfactory condition. Any masons in breach of this regulation will be charged for clearance.

* + 1. Kerbstones are not permitted.

4.1.16 The area enclosed on a single grave space shall not exceed 2100mm x 900mm.

* + 1. Dimensions of headstones must not exceed H900mm x W750mm

4.1.18 The name of the Stonemason must be discreetly inscribed in an appropriate visible place, 50mm above ground level, on all new memorials, along with the year the stone was erected, the Stonemason’s town of residence and the grave section and number e.g.:

**Section A Row G No.235, ACE MASONS. ARNOLD. 2003**

4.1.19 Any headstone removed from the Cemetery for any reason whatsoever must be returned with the relevant Section and Grave Number inscribed 50mm above ground level or other suitable location on the memorial.

4.1.20 Hardwood Crosses of timber obtained from sustainable forested materials may be erected and must not exceed 900mm in height, 500mm in width, or 75mm in thickness.

4.1.21 All monuments and materials must be conveyed into the Cemetery in such a manner as not to cause any damage to road, walks or grass/turf.

4.1.22 No monuments, memorials or materials may be taken into a Cemetery before 9am on any working day or on Good Friday, Christmas Day, Saturdays, Sundays or Bank Holidays without the prior consent from the Council. Anyone employed in fixing, painting or restoring memorials, etc, must leave the Cemetery 30 minutes prior to the Cemetery closing time.

4.1.23 There will be no access for Masons during funerals. Information about forthcoming funerals is available from the Clerk.

4.1.24 All dressing or working of stone or other materials to be used in or about any grave or memorial shall be undertaken outside the Cemetery.

4.1.25 All materials shall be carefully removed from the vehicles conveying them and neatly placed where they are to be used. No work is permitted on roads, walks, or adjoining graves (without the express approval of the Council) and all surplus materials must be removed from the Cemetery.

4.1.26 Any memorial removed for the purpose of a further interment shall be transported from the Cemetery grounds. The Council may dispose of any memorial or materials left in the Cemetery grounds.

4.1.27 No memorial other than a headstone will normally be permitted. The remainder of the grave’s surface will be laid flat with turf by the gravedigger and no mounding is allowed after the earth has settled. The Council will take responsibility for the care and maintenance of the turf.

4.1.28 Placement of flags or banners are not permitted.

4.1.29 Glass items, ornaments and decorations are not permitted under any circumstances. Such items will be removed. Notification will be provided to the registered owner of the Right of Burial where possible.

4.1.30 A5 Memorial Plaques can be fixed to the entrance wall on payment of the appropriate fee.

* 1. Duty of Care
		1. Responsibility for safe conditions in the Cemetery rests upon three main parties:
1. Lambley Parish Council – The Council has a responsibility to ensure the Cemetery is safe for all users and employees. To satisfy this requirement, the Council inspects existing memorials on a regular basis to ensure they are safe. All memorials that appear to be a risk will be inspected independently and made safe. Every effort will be made to contact the registered owner of the Exclusive Right of Burial.
2. Monumental Masons – Stonemasons have a duty to ensure all work on memorials is carried out in a safe manner and that memorials are safe.
3. Owners of Memorials – the primary responsibility for ensuring that memorials are safe rests upon the owner of the Exclusive Right of Burial. It is their responsibility to ensure memorials are maintained to a safe standard, and owners should carry out regular inspections to ensure that their memorials do not present a risk to any users of the Cemetery.
	* 1. The Council will undertake an annual inspection of all memorials and if a memorial is found to be unsafe the Council has a duty to minimise the risk to Cemetery users and its employees and reserves the right to take one or more of the following actions:
			1. Taping off memorials.
			2. Lay down the memorial.
			3. Lash the memorial to a temporary stake to give support.
			4. Attach highly visible appropriate signage.

This action may be taken immediately following inspection; in all cases a warning note will be fixed to the memorial with a Council contact number.

* + 1. Where a memorial is found to be unsafe the registered owner will be informed and given a time limit to undertake repairs to make the memorial safe again. Where the time limit has lapsed the Council will either undertake the repair or make the memorial safe using the methods listed above. In all cases the Council has the right to charge the owner.
		2. Only approved test methods will be used by the Council to establish memorial safety.
		3. The Council is not responsible for repairs to any monument or memorial due to storm damage or vandalism; this is the responsibility of the owner.
		4. In the interests of safety, and to preserve the original appearance and tidiness of the Cemetery, the Council will make safe leaning or fallen memorials on graves where it is no longer possible to contact the owner or relative.
	1. Requirements of Monumental Masons

4.3.1 Every Monumental Mason is required to provide the Council the following documentation, unless they are currently registered with NAMM or BRAMM:

* + - 1. A detailed method statement showing how work will be undertaken and what measures will be taken to minimise the risk of personal injury or damage to property. This must cover every aspect of work the Monumental Mason is likely to undertake in the Cemetery during the forthcoming year, including vehicle access and movement within the Cemetery.
			2. A copy of their incident reporting procedure in accordance with The Reporting of Injuries Diseases and Dangerous Occurrence Regulations 1995 (RIDDOR).
			3. A copy of their Health and Safety Policy and Codes of Practice.
			4. A copy of up to date Public and Employee Liability insurance with at least £5 million cover.
			5. In all cases, a copy of the insurance certificate must be provided to the Council upon policy renewal, this is in addition to the NAMM/BRAMM requirement.
		1. Guidance on the completion of these documents can be obtained from The National Association of Memorials Masons (NAMM) or the Health and Safety Executive (HSE).
		2. When required, the Council’s Officers will evaluate any documentation and upon satisfactory evaluation Masons will be permitted to work within the Cemetery.
		3. Failure to provide any required documentation or failure in the evaluation will result in access to the Cemetery being denied until resolved.
		4. Stonemasons will adhere to all requirements Rules and Regulations and in addition they will be required to: -
			1. Inform the Council when and where they require entry into the Cemetery in accordance with the procedures published by the Council.
			2. Stonemasons are reminded that failure to comply with any of the Cemetery Rules and Regulations will result in future entry being denied.
	1. Floral Tributes, Personal Mementos & Marking of Graves Following Burial

4.4.1 No marking or delineation of a grave space is allowed. Fencing, edging, stones, and borders of any kind are not permitted and will be removed.

4.4.2 The only tributes permitted are:

* Cut flowers, including artificial flowers.
* Floral or green wreaths and arrangements
* Cards (and similar) of a modest size, which should be secured to the floral tributes.

4.4.3 Any other items will be removed. The Council may also remove without notice, any articles from any grave that are likely to cause risk or offence to other visitors or which interfere with maintenance.

4.4.4 Any items left on graves are at owners’ risk and the Council cannot be held responsible for any loss or damage, however caused.

4.4.5 The following items are not permitted within the Cemetery and will be removed:

* Food and drink, including alcohol.
* Glass vases, jars, or any other glass item
* Balloons, wind chimes, solar lights, candles
* Photographs
* Toys
* Any item overlapping or outside the concrete plinth belonging to the grave space.

4.4.6 All floral tributes will be removed after a minimum of 14 days after interment unless prior alternative arrangements are made with the Council.

4.4.7 Dead flowers on grave areas will be removed at the discretion of the Council to enhance the appearance of the Cemetery.

4.4.8 Christmas Wreaths will be removed by the Council after the end of January.

4.4.9 The planting of ornamental trees, shrubs, flowers, bulbs etc., will not be permitted anywhere in the Cemetery as this will hinder the regular cutting of the grass/turf and strimming around the graves. The Council reserves the right to remove/dig up any such planting.

4.4 10 Cut flowers can only be placed in specifically designed memorial vases or integral vases, placed on the concrete plinths. They should not be placed on the grass/turf. Loose vases are not permitted. Glass and plastic vases are not permitted.

4.4.11 Running water is available for cut flowers by the gate. Waste should be deposited in the bin provided near the gate.

**5.0 Conduct in the Cemetery**

5.1 General Conduct

5.1.1 All visitors must always conduct themselves in a quiet and orderly manner. Council representatives have the right to exclude or remove any member of the public at their discretion.

5.1.2 A general appearance of tidiness and cleanliness will be maintained.

5.1.3 Under the provision of the Local Authorities Cemeteries Order 1977, it is an offence for a person to wilfully:

1. Create any disturbance in a cemetery.
2. Commit a nuisance in a cemetery.
3. Interfere with any burial taking place in a cemetery.
4. Interfere with any grave, vault, tombstone or other memorial, any flowers or plants in any such manner.
5. Play any game or sport in a cemetery.
6. Enter or remain in a cemetery when it is closed to the public, unless authorised by the Council to do so.

Anyone contravening these rules and regulations will be liable, upon conviction, to a fine. The costs to the Council of rectifying any damages caused will be charged to the person who has caused the damage.

* + 1. No pedal bicycles, skateboards, skates or scooters may be ridden in the Cemetery, except mobility scooters.
		2. Smoking in the Cemetery is not permitted.
		3. No alcohol may be brought into the Cemetery or consumed in the Cemetery.
		4. Dogs may be taken into the Cemetery but must be kept on a lead and owners are responsible for clearing up any fouling caused by their dog.
		5. Children under the age of 12 years are not permitted to enter the Cemetery unless accompanied by an adult.
		6. No religious services or ceremonies are allowed other than the service at the time of interment, without the prior consent of the Council.
		7. No musical instrument or other sound-producing device will be allowed into the Cemetery except when used as an integral part of a funeral service.
	1. Vehicle Access
		1. There is no access to the Cemetery for private vehicles.

5.2.2 The public car park adjacent to the Cemetery is available for use by visitors and mourners.

**6.0 Fees**

6.1 Fees are reviewed annually and are available by application to The Council and are published on the Council’s website:

[www.lambleyparishcouncil.org.uk](http://www.lambleyparishcouncil.org.uk)

* 1. Deeds will not be released to the purchaser until full payment is received (see 3.2.4).
	2. Schedule of Fees

|  |  |  |
| --- | --- | --- |
| ITEM | RESIDENT | NON-RESIDENT |
| Grave Space | £500.00 | £3,000.00 |
| Interment | £500.00 | £3,000.00 |
| Burial of Ashes | £100.00 | £600.00 |
| Headstones | £100.00 | £300.00 |
| Amendments to Headstones | £50.00 | £150.00 |
| Memorial Plaque (A5 only) on entrance wall | £50.00 | £250.00 |
| Renewal of Deed | £125.00 | £300.00 |
| Re-assignment of Deed | £125.00 | £300.00 |

*Notes:*

*Interment fee does not include the cost of digging and preparing the grave which is arranged between the Funeral Director and gravedigger.*

*The definition of a Resident is any person who has lived within the Parish for five years immediately preceding their death. Any person who dies in a Hospital or Nursing Home outside the Parish of Lambley and who was a Lambley resident for five years or more immediately prior to removal to such a hospital or home, shall be deemed to be a Lambley resident and will be charged as a resident of the Parish.*

*In addition, anyone who can demonstrate residency in Lambley for 40 years or more will be classed as a resident.*

*At the time of death, a former Lambley resident who has not resided in the Parish of Lambley for five years or more shall be deemed to be non-resident and non-resident fees will be charged.*

*Interment fees and burial of ashes fees are charged at the time of interment. If a resident purchases a grave, and then moves away from Lambley, then fees for a non-resident would be applicable. The Council shall be entitled to approve the purchase of a grave/graves by non-residents. No interment fee will be charged for the interment of a resident under the age of 18. Fees will be reviewed periodically by the Council.*

*The Child Funeral Charity (CFC) assist families financially in England and Wales who have to arrange a funeral for a baby or child aged 16 or under. Whilst many funeral directors, the clergy and most celebrants do not charge fees, there are other funeral related expenses that bereaved parents struggle to find. Financial support is available to help with such funeral costs, together with practical advice and guidance from -*[*https://www.childfuneralcharity.org.uk/*](https://www.childfuneralcharity.org.uk/)

*The decision of Lambley Parish Council is final.*

**Agreed by Lambley Parish Council**

**16th September 2024**

**Dawn Edwards Chair**

**Lawrence Milbourn Vice-Chair**