

**Lambley Parish Council**

**Cemetery Guidelines& Regulations**

**[Updated April 2022]**

**Lambley Parish Council manages and maintains the 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.**

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

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

In the regulations, the words “Council” refers to Lambley Parish Council.

1. **Conduct within the Cemetery**
2. All visitors must conduct themselves in a quiet, orderly and respectful manner at all times. The Council’s representative has the right to exclude or remove any member of the public at their discretion.
3. Under the provision of the Local Authorities Cemeteries Order 1977, it is an offence for a person to wilfully:
   * Create a disturbance in a cemetery.
   * Commit a nuisance in a cemetery.
   * Interfere with any burial taking place in a cemetery.
   * Interfere with any grave or vault, any tombstone or other memorial or any flowers or plants in any such manner.
   * Play any game or sport in a cemetery.
   * No person not being an officer or servant of the burial authority or another person so authorised by or on behalf of the burial authority shall enter or remain in a cemetery at any hour when it is closed to the public.
4. No pedal cycles may be ridden in the cemetery.
5. 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.
6. Children under the age of 12 years shall not be permitted to enter the cemetery unless accompanied by an adult.
7. No religious service or ceremonies are allowed other than the service at the time of the interment.
8. No musical instrument or other sound producing devicewill be allowed in the cemetery except when used as an integral part of a funeral service.
9. No alcohol may be brought into the cemetery or consumed in the cemetery.
10. The discharge of firearms is not permitted except when it is an integral part of the funeral service.
11. If a family wishes to plant any shrubs, bushes, etc, they must first obtain the approval of the Council.
12. The Council is not responsible or liable for any accidents or loss of possessions if the above rules have not been adhered to.
13. Any complaints must be made in writing to the Clerk to Lambley Parish Council.
14. **Purchase of Exclusive Right of Burial**
15. The reservation of a grave space is subject to the approval of the Clerk.
16. The Exclusive Right of Burial is the right to bury upon death of one’s self and/or members of one family in a private grave on which a memorial can be placed, and not an unpurchased grave to which there is no right given for either memorial or interment of another.
17. The Exclusive Right of Burial does not give the purchaser any rights over land ownership of such a grave space. The land remains in the ownership of the Lambley Parish Council.
18. For all new reservation’s rights will extend for a 50 year period from the date of purchase; rights may be extended for a further 50 years on payment of the fee applicable at the time.
19. 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.
20. Ownership of a Deed may be transferred or assigned by use of the form of Declaration, Indemnity and Application in respect of the transfer or Assignment of an Exclusive Right of Burial.
21. Where no interment has taken place in a pre-purchased grave the Parish Council may agree to buy the Right of Burial back. In such cases the Council will pay the original purchase price.
22. No interment shall take place until the Clerk is satisfied the grave is owned by the person/estate making the application for burial and the Notice of Interment has been received.
23. 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, application for which is found on the Interment form.
24. Possession of a Deed issued by the Clerk does not necessarily give the person in possession ownership of Exclusive Right of Burial. Where the owner is deceased, subsequent ownership depends upon whether or not the deceased person left a valid Will. The law concerning this matter can be very complex and it is strongly advised that a Solicitor be consulted to establish new ownership. In most cases where the deceased is the deed owner the Council will accept the Spouse or eldest child as the new owner if proof is provided.
25. The Clerk must be notified of any transfer or assignment in order to update the Register of Deeds.
26. **Cremated Remains**
27. Scattering of Cremated Remains is not permitted.
28. The interment of cremated remains in a grave is not permitted without the prior consent of the owner of the Exclusive Right of Burial.This requires the owner to complete and sign a Notice of Interment Form which is available from the Parish Clerk.
29. Notice of the interment and the Certificate issued by the Crematorium where the cremation took place, must accompany any application for burial of cremated remains.
30. Ashes must be buried in a suitable container,with the help and in the presence of the gravedigger in a grave or under the concrete plinth .
31. **Burial Booking Procedures**
32. Advance notice of interment may be telephoned to the Clerk.
33. All books are provisional until the Clerk receives the appropriate forms. Funerals will not be allowed to proceed if the Clerk has not received the Registrar’s Certificate of Disposal or a Coroner’s Order for Burial prior to interment.
34. For the booking of interments, including those of cremated remains, the appropriate certificate of notification of interment, together with all fees, should be delivered in writing or via email to the Clerk usually not later than 2 days prior to the date of Interment. The Clerk may exceptionally require notice in excess of the period stated. In calculating the notice period, Saturdays, Sundays, Christmas Day, Good Friday and public holidays are to be excluded. The Council reserves the right to refuse to accept a notice of interment in special circumstances.
35. The Council will not be held responsible for notification of burials given by telephone unless full particulars of such notices are provided in writing 36 hours prior to interment.
36. Current fees are listed in Appendix 1 and published along with these regulations and appropriate forms on the Council website [www.lambleyparishcouncil.org.uk](http://www.lambleyparishcouncil.org.uk). All fees and charges must be paid to the Parish Council via electronic bank transfer (bank details can be obtained from the Clerk), or alternatively by cheque made payable to *‘Lambley Parish Council’.*
37. The Council will be responsible for the marking of graves. Only the approved gravedigger is permitted to prepare a grave, contact details are available from the Clerk. It is the responsibility of the Funeral Director or other appropriate person to make arrangements directly with the approved gravedigger.
38. 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.
39. Arrangements for the attendance of priests, ministers, or other persons to officiate at a service rests upon the Funeral Director or the person(s) arranging the burial.
40. After interment the burial will be recorded in the Council's Register ofBurials.
41. **Floral Tributes, Flowers & Planters. Personal Mementos and Marking of Graves**
42. 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.
43. The Council may remove without notice any articles from any grave that are likely to cause risk or offence to other visitors or which interfere with maintenance.
44. 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

1. Any items left on graves are at the owners’ risk and the Council cannot be held responsible for any loss or damage, however caused.
2. Following interment, all funeral floral tributes will be removed after a minimum of 14 days, unless prior alternative arrangements are made with the Council.
3. Christmas Wreaths will be removed after the end of January.
4. Dead flowers and Artificial flowers that have been affected by the weather will be removed at the discretion of the Council to enhance the appearance of the cemetery.
5. The planting of shrubs, flowers, bulbs etc will not be permitted anywhere in the cemetery as this will hinder the regular cutting of the grass and strimming around the graves. The Parish Council reserves the right to remove/dig up any such planting.
6. Cut flowers and artificial 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. Loose vases are not permitted. Glass and plastic vases are not permitted.
7. Plant pots of a modest size can be placed on the concrete plinth. They should not be placed on the grass.
8. Running water is available for cut flowers by the gate. Waste should be deposited in the bin provided near the gate.
9. **Regulations Relating to Memorials**
10. All memorials shall be subject to the approval of the Council.
11. The grave deed owner must approve any application to erect, amend or remove a memorial.
12. The wording and design of a headstone must be submitted to the Clerk for approval. The Clerk will approve wording and design that he/she deems meet the regulations and guidelines; if in doubt, the proposed memorial will be put before the Parish Council for approval and it is advisable to allow one month for approval to be given.
13. 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.
14. No memorial shall be altered or interfered with after it has been erected in the Cemetery according to the design submitted and approved by the Council, nor shall any work of any kind be undertaken or carried out within the cemetery without the consent of the Council.
15. All memorials fixed in the cemetery must comply with British Standard 8415. Only those memorial masons’ businesses that are BRAMM or NAMM accredited, and those memorial masons that hold a current BRAMM or NAMM Fixer Licence, will be able to work in the cemetery. Fixers who do not hold a BRAMM or NAMM Fixer Licence will only be permitted to work under the direct supervision of a mason who holds a BRAMM or NAMM Fixer Licence.
16. All Headstones are to be erected in line with existing headstones.

Dimensions must not exceed:

Height 3’ 0”, width 2’ 6”

1. Kerbstones are not permitted.
2. Photographs are not permitted. Other graphic images will only be permitted if simple and generic at the discretion of the Clerk.
3. The name of the stonemason and the grave reference number should be discreetly inscribed on the headstone.
4. The Council is in no way responsible for the care of the Headstones, which should be kept neat and in good order by their owners or their representatives. No responsibility will be accepted by the Council for the safe keeping of, or damage to any memorial in the cemetery.
5. Work in the cemetery can only take place with agreement from the Council. This includes the erection of new memorials, the re-erection of amended memorials, the removal of memorials to add inscriptions, the refurbishment of memorials in situ. Lambley Parish Council will endeavour to be as flexible as possible regarding this. Any mason undertaking such works without prior agreement will be denied access to undertake future work at the cemetery.
6. Masons and other workmen must provide and afterwards remove all tools required in the work of erecting headstones. Work in the Cemetery will not be permitted on Sundays, Christmas Day, Good Friday or outside normal working hours. Masons must perform their work expeditiously and in all respects in accordance with these regulations. The work must be carried out at the sole risk and liability of the person executing it, and any damage caused by or in the execution thereof must be made good to the satisfaction of the Council or the person whose property is so damaged.
7. All work will be undertaken to the absolute satisfaction of the Council.
8. Memorials in the form of the donation of seats, shrubs, trees, roses, bird boxes etc. may be permitted with the prior approval of the Council.
9. **Duty of Care**
10. Responsibility for safe conditions in the cemetery rests upon three main parties:

Lambley Parish Council - The Council has a responsibility to ensure the cemetery is safe for all users and Council employees. This may include the inspection of memorials to ensure they are safe. A notice will be placed in the Cemetery four weeks prior to any inspection being undertaken.

Monumental Masons - Stonemasons have a duty to ensure all work on memorials is carried out in a safe manner and that memorials are safe.

Owners of Memorials - In the case of memorials the primary responsibility for ensuring they are safe rests upon the owner of the grave or memorial. It is their responsibility to ensure the memorials are maintained to a safe standard.

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, in this instance action taken may include:

* Taping off of memorials.
* Laying down of memorials.
* Lashing a memorial to a temporary stake to give support.
* Attaching highly visible appropriate signage.

This action may be taken immediately following inspection and in each instance a warning note will be placed on the Parish Council notice board in the cemetery.

1. Where a memorial is found to be unsafe the 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 may undertake the repair and charge the owner or remove the memorial from the cemetery.
2. 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.
3. **Insurance**
4. Every Funeral Director or Company will be required to have Public and Employee Liability insurance with at least £5 million cover. Copies to be provided to the Council on request.
5. All persons wishing to work within the cemetery must provide annually evidence of Public Liability and Employers Insurance cover to indemnify the Council against any claims arising from any acts or omissions. Any persons wishing to undertake work in the cemetery must abide by the relevant regulations. Should any person not do so, the Council reserves the right to refuse further access until such time such persons can demonstrate their compliance.

***Approved by Lambley Parish Council on25th April 2022***

Cllr. D Edwards, Chair

Catriona Saxton, Clerk

**Contact details:**

Lambley Parish Council

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In circumstances not covered by these regulations reference should be made to the Gedling Borough Council Rules and Regulations and the Clerk consulted



**Lambley Parish Council**

**CemeteryGuidelines**

**Appendix 1**

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|  | **Resident\*\*** | **Non-Resident** |
| **Purchase of Grave Space** | £250.00 | £600.00 |
| **Interment Fees** | £200.00 | £600.00 |
| **Burial of Ashes** | £100 | £300 |
| **Memorial Fees** | | |
| **Headstones** | £100.00 | £300.00 |
| **Amendment to Headstones** | £50.00 | 150.00 |
| **Vases** | £50.00 | £200.00 |
| **Plaques** | £50.00 | £250.00 |
|  |  |  |
| **Renewal of Deed** | £125 | £300 |
| **Re-assignment of Deed?** | £125 | £300 |

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/>

**\*\***Resident means that the purchaser of the Deed of Right of Burial lives in the Parish or has done so within the last 5 years.

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.

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. The decision of Lambley Parish Council is final.

***Agreed by the Parish Council on 25th April 2022***