



# Fyfield Parish Council

## Fyfield Burial Ground Regulations



**Fyfield Burial Ground**

**Willingale Road**

**Fyfield**

**Essex**

**June 2019**

# Introduction

Fyfield Burial Ground in Essex is owned and provided by Fyfield Parish Council. The Council is obliged to provide Regulations for the provision of services on the site and to ensure that it remains a safe, attractive and peaceful place. In meeting these obligations, the Council is also aware of the close proximity and links to the Church of St Nicholas in Fyfield and with this in mind the Council has adopted Regulations that build upon the rules that normally apply to churchyards that apply in the area. However, the Burial Ground is provided principally for residents of the parish regardless of their faith or religious beliefs.



Over time, changes in legislation or policy may dictate that these Regulations may require amendment or change. Advice and information is available from Fyfield Parish Council and it is recommended that contact in the first instance be made with the Parish Clerk.

We would ask that visitors to the Burial Ground take any litter home with them.



Fyfield Parish Council  
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## Opening times

1. Fyfield Burial Ground is accessible every day. Due to the absence of lighting access for the public is limited to the hours of sunrise to 30 minutes after sunset each day

## Rights of use/admission

2. We reserve the right to: (i) close or limit access to the burial ground only when necessary; and (ii) withdraw the use of the burial ground from any person or organisation.

3. You may bring dogs into the burial ground but they must be kept under your control at all times. Dog fouling is a public nuisance and dog mess must be removed.

4. Cycling is prohibited in any part of the cemetery; cyclists should dismount at the gate.

## Fees and Charges

5. All fees for interments and memorials applications are payable in advance.

6. All burial ground fees and charges are regularly reviewed and are available on the parish council website (<http://www.essexinfo.net/fyfield-parishcouncil>) or by contacting the Council.

## **Exclusive Right of Burial**

7. At the time of the interment you may buy an Exclusive Right of Burial (ERB) in a grave for an agreed period of time (normally 75 years for a burial plot and 25 years for a cremated remains plot). The purchase will be subject to you paying the appropriate fee and completing the relevant application form, which needs the signature of the proposed owner (who then becomes the deed holder).

The pre-purchasing of any graves (either full burial or cremated remains) is not permitted.

8. The Exclusive Right of Burial deed holder is entitled to decide who is buried in the grave and whether a memorial can be erected on it (once the relevant fee is paid and the council has given permission).

9. The standard depth to which new graves should be dug is dependant upon the number of future burials expected to be made in the grave, as follows: Three burials: 8 feet (2.44m), two burials: 6 feet (1.83m), one burial: 4 feet 6 inches (1.37m).

10. The Parish Council will allocate the location of new graves. We will consider the wishes of applicants who buy grave spaces if it is practical to do so, subject to the council's approval and payment of the appropriate fee. The Council's decision in such matters will be final.

11. The Council keeps plans and records of graves which visitors may view, by appointment.

12. When the Exclusive Right of Burial period comes to an end the buyer (or his/her heirs or successors who have become the deed holder) will have the option of renewing that right, subject to any restrictions which may be in force at that time.

13. Deed holders will need to apply to renew the ERB within 12 months of the previous grant finishing.

14. Provided that there is sufficient room cremated remains can be interred in any adult grave in the cemetery for which you have the Exclusive Right of Burial.

15. Ownership of the ground does not at any time; pass from the control of the Parish Council.

16. Before the reopening of a purchased grave the ownership for Exclusive Right of Burial must be proven.

## **Coffins and caskets**

17. To help us all respect the environment, all bodies entering the cemetery for burial must be contained in a coffin/wrapping made of a perishable material bearing the full name, age and date of death on it. Alternative coffin materials maybe considered subject to prior written agreement by the Parish Council.

## **Burials and Interments**

18. You can apply for a burial or for interment of cremated remains by contacting the council. You must deliver a completed interment notice to the council at least three clear days before the interment (excluding Saturdays, Sundays and bank holidays).

19. Burials and interments normally take place on Mondays to Fridays between 9.30am and 3pm.

20. The burial and interment fees do not include the excavation and preparation of the grave on the day of service or for backfilling of the grave after the interment. The fee does include all administration, entries into the burial registers.

21. The time booked for a funeral is the time the cortege is due to arrive at the cemetery.

22. The council will not open a grave or cremated remains plot covered by an Exclusive Right of Burial without the written permission of the registered owner unless the burial is to be that of the registered owner.

23. We must receive the Registrar's Certificate for Disposal or Coroner's Order for Burial before any burial can take place. (We will require a Medical Practitioner, Midwife or Nurse's certificate if the interment is for a non-viable foetus). For cremated remains we require the certificate of identity issued at the crematorium.

24. We reserve the right to delay or reschedule a funeral if any burial area or excavated grave becomes unstable or dangerous due to severe weather, other naturally occurring instances or an Act of God.

25. The responsibility for providing enough bearers to carry the coffin from the hearse to the grave or plot (whether mourners are present or not), rests with the Funeral Director or person arranging the funeral.

26. We reserve the right of passage over all graves and to have any grave temporarily covered whilst carrying out excavations. We also reserve the right to move memorials to allow access to a grave. The memorials will be returned to their original positions and any disturbed neighbouring graves made tidy as soon as possible after the burial.

27. Only the Parish Council can authorise people to prepare graves.

28. Persons authorised by the Parish Council will normally carry out the back filling of any grave. This will normally be the professional grave digger employed originally to open the grave.

## Exhumations

29. The exhumation of a body or of cremated remains is only permitted in exceptional circumstances and is likely to require consent and licences granted by both the Home Office and the Diocese of Chelmsford as well as the Parish Council. It is essential that contact is made with the Parish Council to discuss the individual circumstances at the earliest opportunity.

## Management of memorials

30. Upon request the council can provide the application form to complete if you wish to apply for permission to erect a memorial, add an inscription or carry out any other work on a memorial including refurbishment, cleaning or like for like replacement. The form will include:

- name and address of the memorial mason or contractor who will carry out the work;
- material and measurements of the memorial;
- details of inscription and a diagram of the proposed memorial, including fixing methods; and
- full names and signatures of the registered grave owner/s to give permission for the work.

31. Issuing a permit to work confirms that approval for any such application is given. The applicant must not start any work until they have a permit. We will generally give permission as long as the work undertaken fully complies with these Regulations, with the details specified within the Application Form, with the British Register of Accredited Memorial Masons (BRAMM) or National Association of Memorial Mason's (NAMM) schemes and also with the Guidelines published by the Diocese of Chelmsford.

32. You may be required to remove any work that you do, or any memorials or kerb sets – and pay all the costs of removal – if these do not comply with the Burial Ground Regulations.

33. All memorials must be erected in accordance with BS8415 and the National Association of Memorial Mason's (NAMM) or the British Register of Accredited Memorial Masons (BRAMM) Code of Practice

current at the time of installation. The owner of the Exclusive Right of Burial is responsible for keeping the memorial in a good and safe condition. The Parish Council remove any memorial that becomes unsafe or is otherwise dilapidated.

34. All memorial mason companies who work within the cemeteries must be registered with the British Register of Accredited Memorial Masons (BRAMM) or National Association of Memorial Mason's (NAMM). Fixing teams will contain at least one mason in possession of a BRAMM or NAMM fixer's licence. At all times memorial fixing teams will operate in accordance with the BRAMM or NAMM scheme and these Regulations

35. You may only use suitable material of durable and sound quality for memorials. Materials may include; Limestone, Blue Lias, Chilmark, Hopton Wood, Hornton, Nabresina, Oathill, Cotswold Cream, Portland, Purbeck Pond Freestone, Purbeck Thornback, Caithness Sandstone, Dukes Sandstone, Forest of Dean Sandstone, Peakmoor Sandstone, Scotch Buff Sandstone, Stonreaise Red Sandstone, Wattscliffe Lilac Sandstone, West Stone or Yorkshire Sandstone, (i.e. materials as permitted by the Diocese of Chelmsford).

The stone used may be honed but not polished.

## **Lawn section.**

36. Graves in the lawn section will be grassed, with no mounds or kerb sets. You may install a memorial of the dimensions indicated below at the head of the grave. You may not place any other memorial or other items in or around the grave space or on the grassed area in front of the grave including shrubs, plants and bulbs.

## **Memorial sizes**

37. Headstones are only permitted in section III and memorials must not exceed 800mm (2'9") in height (above ground level); 750mm (2'6") in width. The stone must be of sufficient thickness to support its height, and any reasonable force exerted upon it, to ensure its stability. The foundation must be sunk into the ground so that the top surface of is flush with, or below, the adjoining ground level.

38. A drilled base may accommodate:

- one flower container; or
- a natural stone tablet, not more than 300mm (1'0") high, not more than 300mm (1'0") wide and not more than 50mm (2") thick;

39. No photograph or other image may be incorporated into a memorial.

40. The grave number must be inscribed on all memorials erected in the burial ground, on the lower right corner of the rear of the base (or other conspicuous position as approved by the Council), in characters of not less than 25mm (1") in height, to match the main inscription.

41. Trade names must be inscribed on any memorial in the lower left corner of the rear of the base or other location approved by the Council in characters of not more than 12mm (1/2") in height, to match the main inscription.

42. All contractors, engaged on work in the Burial Ground must comply with all Council directions and Requirements.

43. All materials and equipment must be conveyed in the Burial Ground in such a manner as to prevent damage to the turfed areas and all soil or waste material must be removed in a like manner.

44. Masons must notify the Council of intent to work in the burial ground at least 24 hours before arrival at the Burial Ground.

45. Any person removing a memorial to permit a further interment may only do so after informing the Council. Upon reinstallation of such memorials they shall be re-fixed in accordance with BS8415 and the NAMM or BRAMM Code of Practice.

46. Memorials in the Lawn of Remembrance area for cremated remains shall be limited to flat engraved plaques of measurements not exceeding 18" by 18". If desired the design may incorporate a single flower holder. The material;s that may be used are as shown in Regulation 35.

47. We reserve the right to remove any unauthorised memorial and charge the cost to the grave owner, or their personal representative.

## **Memorial benches**

48. Anybody wishing to place a memorial bench or other, similar feature in the burial ground must first seek permission of the Parish Council

49. No other memorial or other items may be placed on the bench.

## **Public graves**

50. A public grave is a grave in which no Exclusive Right of Burial has been granted by the Parish Council and in which unrelated persons may be interred.

## **Maintenance**

51. All floral tributes will be removed two weeks following the interment unless we are told in writing that the family wish to arrange for their removal. It is forbidden to place glass containers or shades, items of pottery, tins, plastic or wire mesh fences or other items of metal, plastic or other material on graves. The Council may remove these without notice.

52. The Parish Council will remove Christmas wreaths from 1<sup>st</sup> February each year.

53. Temporary wooden markers are permitted subject to the council's approval. These should be removed from the grave if/when the permanent memorial headstone is set.

54. No plastic or artificial flowers of any kind are permitted with the exception of poppies at Remembrance Sunday.

55. The Parish Council reserves the right to remove (and dispose of) from any grave space, flowers, plants, floral tributes or wreaths which have deteriorated or become unsightly.

## **Scattering of cremated remains**

56. The scattering of cremated remains on purchased or unpurchased graves, or in any other area in the Burial ground is forbidden.

## **Repair of failed memorial headstones**

57. Fyfield Parish Council reserves the right to test all headstones for safety every five years or at any time if it is suspected that the stone maybe unsafe.

58. Memorial headstones that fail the safety test will be required to be repaired as soon as possible by the deed holder. If the repair is not undertaken within six months from notification, the Council will either fund the repair to the stone; (this cost must then be repaid to the Council before the Exclusive Right of Burial is further exercised) or may undertake works to make the memorial safe (this cost must then be repaid to the Council before the Exclusive Right of Burial is further exercised).