

Hemsby Parish Council



Parish Office, Kingsway, Hemsby,
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All correspondence please to:
The Parish Clerk
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Burial Ground Regulations March 2021

Hemsby Parish Council aims to provide the highest possible standards of care, choice and dignity to those who suffer bereavement, and to create and maintain an environment where the bereaved can pay their respects. To assist with this Hemsby Parish Council request that all visitors to the Cemetery follow these regulations.

Please be aware that Hemsby Parish Council reserves the right to change these regulations from time to time, and, that compliance with any changes is required. All funerals and cemetery administration will be under the control of the Parish Clerk.

Cemetery Opening

The Cemetery will be open to the public daily between 7.30am and 7pm, times may be shorter during the darker winter months. Hemsby Parish Council reserves the right to make closures as may be necessary for repairs, or in the interests of public safety, at any time.

Dogs

Dogs are kept on a lead at all times in the Cemetery and Dog waste **MUST** be removed from the cemetery.

Council Authorisation

All interments must be authorised by Hemsby Parish Council prior to the funeral arrangements being publicly announced by the Funeral Director.

Cremated Remains, Caskets and Urns

Please be aware that cremated remains will only be interred in a casket or urn, and, cannot be interred directly into a grave space and not be scattered within the cemetery without permission of Hemsby Parish Council. An area is set aside for the scattering of ashes. Any request for scattering of ashes within the designated area must be made to the Parish Clerk.

Selection of Grave Space

The selection of grave spaces, in all cases, is at the sole discretion of Hemsby Parish Council.

Exclusive Right of Burial

A purchased grave is one where the Exclusive right of Burial has been purchased for a period of 75 years from the date of purchase and will be excavated to a depth which will allow the eventual interment of one coffin.

Please be aware that when a grave in Hemsby Cemetery is purchased, what the purchaser is actually buying is the Exclusive Right of Burial for a period of 75 years, which may be renewed for a further period of expiry.

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The purchaser is not buying the grave freehold and will not own any land. He or she has purchased the right to determine who may be buried in the grave, and whose cremated remains may also be interred in the grave.

A deed of grant is an important document issued by Hemsby Parish Council and should be kept in a safe place. Purchased graves are subject to Cemetery Regulations.

Change of Address for an Exclusive Right of Burial

Please write to Hemsby Parish Council to change your address on your Deed of Grant, giving your old address and your new address

Ownership of a Deed

Possession of a Deed does not necessarily give the person in possession ownership of an Exclusive right of Burial. Where the owner is deceased, subsequent ownership depends upon whether or not the deceased left a valid Will. The law concerning this matter can be very complex and it is strongly recommended that a Solicitor be consulted to establish new ownership. Ownership of a Deed may also be transferred, or assigned, by contacting the Parish Council.

Lawn Cemetery

Hemsby Cemetery is a Lawn Cemetery; the memorials allowed are headstones in the Burial section and smaller memorials in the Ashes section. Whilst visitors are welcome to place flowers in pots and floral tributes on the headstones base, the planting of shrub, trees and flowers, including annual plants, on the grave is **not** permitted. Hemsby Parish Council reserves the right to remove such planting without notice or payment compensation.

Interment

Only human remains may be interred in the Cemetery (plus any small articles that can be reasonably contained in a standard coffin or casket).

- a. A Certificate of the Registrar of Births and Deaths, or a Coroner's Order for the Burial, must be delivered to the Clerk, or other authorised officer, prior to the interment.
- b. For the burial of a stillborn child; the Certificate of the Registrar of Births and Deaths, that he or she has registered the stillbirth, or that he or she has received official notice of the stillbirth, or a Coroner's Order for Burial, must be delivered to the Clerk or other authorised officer, being the person effecting the burial, at least 24 hours prior to the interment.

(Note: By section 1 of the Births and Deaths Registration Act 1926, it is both prohibited and an offence punishable on summary conviction by a fine not exceeding Level 1 on the standard scale (currently £200) for anyone to dispose of the body of a deceased person without delivery of the Registrar's Certificate for Disposal or the Coroner's Order for Burial).

Interment Fee

Please be aware that an Interment Fee for opening and closing the grave is charged. The Interment Fee is charged every time the grave is opened for an interment and must be paid in full prior to all interments.

Opening Graves for Interment

Please be aware that a grave for which an Exclusive right of Burial applies can only be opened with the written permission of the registered owner of the exclusive right unless the interment is to be that of the registered owner.

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No interments will take place on Saturdays, Sundays, Good Friday, Christmas Day, or Bank Holidays, except on the certificate of a Coroner or Registered Medical Practitioner that immediate interment is necessary. A Funeral Director must be present at all times.

Grave Mounds

All grave mounds will have to be removed after the expiry of twelve months from date of interment.

Grave Tributes

No shrubs, plants or flowers may be planted within the Cemetery or on any grave without consent. Hemsby Parish Council reserves the right to prune, cut down or dig up and remove any shrub, plant or flower planted without authorisation or which in their opinion has become unsightly or overgrown. Any fencing placed around a grave will be removed without notice being given by Hemsby Parish Council.

Floral decorations may be placed on the grave. When these are seen to be decayed, Hemsby Parish Council reserves the right to remove and dispose of them if the owner fails to do so.

Hemsby Parish Council reserves the right to remove any receptacle for flowers, damaged wreaths, mementos etc. that it considers unsuitable, or which are broken, without notice. Glass containers, burning candles, incense, Yew twigs or similar items are strictly prohibited. Hemsby Parish Council will attempt to contact the next of kin before such removal.

No person other than authorised contractors are permitted by Hemsby Parish Council to carry out any works using such items as mowers & strimmer's on site, hand shears will be permitted only.

Christmas Wreaths

At Christmas many wreaths are left on graves. Our grounds staff will remove them but if you wish to remove them yourself, please do so before 1st February.

Memorials in the form of the donation of seats, shrubs, trees, roses, bird boxes, etc may be permitted subject to approval of Hemsby Parish Council and in accordance with the adopted Memorial Bench Policy.

Theft

Expensive fresh flowers and silk flower arrangements are occasionally stolen or removed and placed on other graves. Please inform the Police and Hemsby Parish Council if you experience this.

Right to Erect a Memorial

The permission of Hemsby Parish Council is required before The Right to Erect a Memorial is issued and gives the purchaser the right to erect a memorial (which must conform to Hemsby Parish Council's current regulations) on the grave.

Application for Memorial Work

The permission of Hemsby Parish Council is required before any memorial may be erected, renovated or removed and three working days notice given in writing to the Clerk. Permission is also necessary for additional inscriptions to be inscribed. All memorials must be fixed or re-fixed in accordance with the National Association of Memorial Masons (NAMM) Recommended Code of Working Practice or British Register of Accredited Memorials (BRAMM). Any question touching the fitness of any inscription, or the design or material construction of any monument erected shall be decided by the Vice Chairman of Hemsby Parish Council. Appeal against any decision may be made to Hemsby Parish Council. If any monument is erected in violation of the Regulations of Hemsby Parish Council, the same may at any time be removed by Hemsby Parish Council, without notice.

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Types of Memorial Maximum dimensions

Allowable dimensions, excluding foundations, are:

☐ Only one memorial shall be erected on each grave, as a headstone with or without base not exceeding 24" width, 36" in height and 4" in depth (750mm x 900mm x 170mm). Memorials can not be erected until six months after the date of the burial.

☐ A memorial not exceeding 24" height, 21" width and 3" depth is permitted in the Ashes area. There is no requirement to wait six months before erecting memorials in the ashes section.

Safety of Memorials

Although, as such, choice is allowed when selecting a memorial, please be aware that any memorial erected in our Cemetery must be done so in a manner that ensures it is safe. Thus, all memorials being erected or re-erected, other than vases, must be fixed using a ground anchor or shoe system that will withstand a pull/push force of 350 Newton (approx 35kg). In addition all 'book type' and similar memorials must be dowelled to the base to ensure stability.

Please be aware that all memorials erected in our Cemetery are erected at the owner's risk and it is advisable to have them insured against damage. The responsibility of maintaining a memorial in a safe condition rests with the owner of the memorial.

Hemsby Parish Council has adopted the Institute of Cemetery and Crematorium Management's guidelines for The Installation, Inspection, Maintenance and Management of Memorials. Memorials in our Cemetery will be inspected periodically on a regular schedule.

Details of the results of the inspection will be recorded and where remedial work is deemed necessary the owner will be notified. The owner is responsible for any repairs or maintenance notified by Hemsby Parish Council. If any required work is not carried out within 3 months of the owner being notified, Hemsby Parish Council reserves the right to carry out repairs and place a charge on the grave space.

Maintenance of Memorials

We ask all registered owners to be aware that memorials are erected at their own risk and it is their responsibility to keep memorials in a good, safe condition. Hemsby Parish Council cannot accept any liability for the making good of any damaged or fallen memorials. Please understand that Hemsby Parish Council reserves the right to re-fix, move, line up or otherwise alter the position of any memorial as may be required. Please be aware that you are able to purchase insurance to cover headstones/Memorial for accidental damage etc.

Fees

Hemsby Parish Council may charge such fees as it thinks proper for, or in connection with, interments in the Cemetery; and for the grant of right to place a memorial in the Cemetery; or inscribe an additional inscription thereon. Hemsby Parish Council may amend fees from time to time. These must be paid in full prior to any burial, interment or memorial installation.

Non-Compliance with Regulations

Hemsby Parish Council in exercising its powers under these regulations will adhere to the following procedure where non-compliance with the regulations has occurred:

☐ Before any action is taken with regard to the removal of any memorial or object that is considered to be in contravention of these regulations, Hemsby Parish Council will notify the grave holder in writing of Hemsby Parish Council's intentions at their last known address.

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One month's notice of any intended action will be given, unless there is an immediate risk under the Health and Safety Act, where the duty of care demands immediate action.

The grave holder will have the right to appeal against any decision made. Any appeal should be in writing and addressed to the Clerk to Hemsby Parish Council and received within one month of the notification date.

If the grave holder is still not satisfied with the outcome, they will be given the opportunity to have the matter considered by Hemsby Parish Council. The decision of Hemsby Parish Council is final.

Accepted By Hemsby Parish Council 15/03/2021