

## **Croughton Parish Council**

### **Croughton Cemetery Policy, Rules and Fees**

This document was agreed at a meeting of Croughton Parish Council on 14 November 2011. The contents take effect from 15 November 2011 and are now fixed until any subsequent review and agreement.

Signed: P K Gelder  
(Chairman)

Date: 14<sup>th</sup> November 2011

Signed: Ann Le Druillenec  
(Clerk)

Date: 14<sup>th</sup> November 2011

## **Aims**

The aims of this policy are:

- to have a plan for the future development of Croughton Cemetery
- to have clear and transparent processes for the operation of the cemetery
- to ensure fair and consistent treatment of all users of the cemetery

## **Purpose of document**

The purpose of this document is to provide a guide to the Parish Council's policies, practices and procedures for Croughton Cemetery.

The document will be made available to members of the public, both individually when required, and collectively on the village web-site [www.croughton.org.uk](http://www.croughton.org.uk)

The document will be reviewed regularly as set out in our annual Action Plan.

## **Responsibility**

Croughton Cemetery was established in 1921. It is owned and managed by Croughton Parish Council on behalf of Croughton village.

## **Management Principles**

In managing the Cemetery, Croughton Parish Council will:

- Provide a sensitive and respectful service to the bereaved
- Ensure that sympathetic, supportive and confidential advice on funeral arrangements is given to the recently bereaved
- Maintain the cemetery to a high standard within the budget of Croughton Parish Council
- Ensure the proper respect of Croughton Cemetery with fair rules and fees which are explained to the bereaved and cemetery visitors
- Undertake fair and sensitive enforcement where rules are not followed

## **Location, Layout and Designations of Cemetery**

The cemetery is located in Brackley Road, Croughton. It is divided into four quadrants:

- North-West
- North-East
- South-East
- South-West

The two North and two South quadrants are separated by two rows of trees running East-West.

The North-East quadrant is separated from the North-West quadrant by two rows of shrubs running north-south.

The South-East quadrant will be separated from the South-West quadrant by two rows of shrubs running south when the two North quadrants are filled.

The North West quadrant was the first area to be used and is now almost full. It contains a mix of memorial types and sizes.

North East: This quadrant is now being used for burial plots.

South East: This quadrant is not yet in use.

South West: A Memorial Garden for cremated remains is being created in an area formed by an arc of shrubs.

There are currently two privately donated memorial benches within the cemetery and one Parish Council owned bench outside the cemetery. There is a brick shed within the South-west quadrant.

The Burial areas of the cemetery are consecrated; the Memorial Garden area of the cemetery is not consecrated.

### **Purchase of Exclusive Burial Rights**

Residents of Croughton Parish, and those who die within the parish boundary, have a right to be buried in the Cemetery subject to payment of the appropriate fee. Anyone who dies in a retirement or care home outside the parish, but who was previously resident in the parish immediately before they moved into care, will be treated as if they were still resident in the parish at the date of death.

Non-residents may also be buried in the Cemetery subject to payment of the appropriate fee and provided, in the opinion of the Parish Clerk, there is space available to accommodate them.

Croughton Parish Council may at any time grant the Exclusive Right to bury remains in a grave within 99 years of the date of the deed. The purchase of Exclusive Burial Rights does not confer title to the land and therefore the grave or cremation plot remains the property of the Council.

The Parish Clerk will determine which grave should be allocated in liaison with a designated member of the Parish Council.

If the owner of the Exclusive Rights dies, it is assumed that they gave permission to have themselves interred in the grave. After this, the Rights become part of their estate and may be left in a will, or assigned by their executors to someone else. If the Rights are not specifically mentioned in the will, they will form part of the 'residue' of the will, usually willed as 'and all my other worldly goods' at the end of the will.

Exclusive Rights may be transferred to another person on application to the Parish Clerk and on payment of the appropriate fee. The transfer will be treated as if it is a new purchase but will not alter the expiry date of the deed.

Records of Exclusive Rights to Burial will be maintained by the Parish Council in a designated Book.

Exclusive Rights may be surrendered at any time, without refund of the purchase fee, on return of the deed to the Parish Clerk. If the owner of Exclusive Rights fails to notify the Parish Clerk of a change of address and cannot be contacted subsequently, the deed will be deemed to have been surrendered. Before terminating the deed the Parish Clerk will write to the last known address of the owner of the Exclusive Rights. If no reply is received within four weeks of the date of the letter the Parish Clerk will contact any known relatives who are resident in the parish to ask them to contact the owner of the Exclusive Rights. If no contact can be made within twelve weeks of the original letter to the owner of the Exclusive Rights the deed will be terminated. If contact is made after this time the deed may be restored, on its original terms, at the discretion of the Parish Clerk.

The Grant for the Exclusive Right of Burial shall be considered as the personal estate of the grantee and as such may be assigned in their lifetime, or bequeathed by Will. Every such assignment or Probate of Will etc. should be produced to the Council, together with the appropriate fee, for the transfer to be duly registered.

By proper application and payment of the appropriate fees, the owner of an Exclusive Right to Burial will be able to:

- place and maintain an approved memorial on the grave space to which the Exclusive Right to Burial corresponds;
- put an additional inscription on the memorial.

### **Notice of Interments**

Applications for interments must be made to the Parish Council Clerk.

The registrar's form and the appropriate fee must be received by the Parish Clerk three days prior to the burial. All fees and charges shall be made payable to Croughton Parish Council.

The Notice of Burial must give the accurate and exact outside dimensions of the coffin to be used for burial, inclusive of handles and other ornamentation. Present standard coffin sizes for graves are 6 ft 11 inches (1828 mm) long and 2 ft 6 inches (750 mm) wide. Proposals to use a coffin exceeding these sizes should be referred to the Parish Clerk for individual advice.

The Council does not accept any liability for any consequences arising from the loss or delay in delivery of any notice order or other documents sent by post.

After notice of interment has been given, any alteration required in the arrangements will be subject to the consent of the Parish Clerk. An additional charge might be imposed if such alteration is likely to involve the Council in any additional expense.

### **Burials**

No burial may take place until a Registrar's Certificate for Disposal, or where an inquest has been held, a Coroner's Order for Burial, has been duly issued.

No body shall be buried in a purchased grave until the consent of the owner of the Exclusive Right of Burial is obtained or a transfer of Rights has been registered, except for the burial of the grave owner in which instance no consent is required.

No body shall be buried in a grave unless contained in a coffin bearing a non-perishable nameplate giving details of the name and date of death of the deceased.

All coffins presented for burial must be constructed of a perishable material. The use of lead, zinc linings, etc. is prohibited.

The spaces for graves for burials for which there is no Exclusive Right of Burial will normally be allocated consecutively, if soil permits, until each line is completed. However, when practicable, family preference will be taken into account.

The Funeral Director will arrange for the relevant grave to be dug. The grave digger will be responsible for the spoil to be removed from the Cemetery.

The time arranged for the burial service is the time when the funeral cortege should be at the cemetery.

Graves will be filled immediately after the mourners have left.

Up to two burials are allowed in one burial plot with a fee payable on each occasion. The Funeral Director will be advised if the burial is to take place in a grave in which there has already been one burial.

Before the re-opening of a purchased grave, the ownership for the Exclusive Right of Burial must be proven. Where the burial is not of the registered owner of the Right, the written consent to the opening of the grave must be made by the owner.

Funeral Directors must arrange for memorials and associated fixings, plinths and landings to be removed from the cemetery to allow graves to be re-opened. Responsibility for any memorial removed in error will remain with the Funeral Director at whose expense reinstatement will be carried out to the satisfaction of the grave owner.

No grave will be excavated or body buried therein, which would contravene Part 1 of the second schedule to the Local Authorities Cemeteries Order 1977.

### **Interment of cremated ashes**

Cremation ashes may be interred in a purchased plot in the Memorial Garden.

Each "plot" will be 18 inches (450 mm) square in size and will be capped with a flat cement slab 18 inches (450 mm) square which will be purchased and laid by the Council.

The Funeral Director will arrange for the relevant cremation plot to be dug. The grave digger will be responsible for the spoil to be removed from the Cemetery.

Up to two cremations are allowed in one cremation plot with a fee payable on each occasion.

Cremation ashes may not be interred in a grave plot unless they are being added to an existing grave.

The scattering of ashes is not permitted in any area of the cemetery.

### **Headstones and Tablets**

No form of memorial shall be erected or placed upon a grave, unless

- the Right of Interment has been purchased;
- proper application for permission to erect a memorial has been made by the registered owner, duly approved by the Parish Council and approved in writing by the Parish Clerk; and
- the appropriate fee has been received.

The Parish Council is responsible for ensuring that all new headstones and tablets and other monuments conform to the Cemetery Rules currently in force. Applications shall include a clear sketch or illustration of the memorial, showing foundations, dimensions, type of stone or material and method of fixing, together with a copy of the proposed inscription.

Headstones for graves should be upright and measure no more than 2 feet 6 inches (750 mm) high, 2 feet (600 mm) wide and 3 inches (75 mm) deep at the top. A headstone should be placed on a concrete foundation slab not exceeding 2 feet 6 inches (750 mm) by 2 feet (600 mm) and a depth of 2 inches (50 mm). Only one headstone per grave is permitted.

Tablets for cremated remains in the Memorial Garden should be flat or angled. They should not exceed 18 inches (450 mm) square and will be mounted on to the concrete slab. The incline on an angled tablet should not exceed 30% from the horizontal. Only one memorial tablet will be allowed for each cremation plot.

Memorials may only be erected by suitably qualified memorial masons. No hewing or dressing of stone will be permitted within the cemetery. Mats, planks, boards or canvas must be used to preserve the grass or roads and paths from damage during such works. All rubbish, refuse, stone or other surplus and waste materials arising from the erection, removal, repair, alteration or cleaning of any memorial must be removed from the cemetery by the mason or person who has carried out the work.

The Parish Clerk is responsible for ensuring that the inscriptions on new headstones and tablets are in keeping with existing standards. Additional inscriptions cannot be added until written permission from the Parish Clerk has been given and the appropriate fee received.

No mound or kerb stones, flatstones, chippings or enclosures of any sort are permitted in any area of the cemetery and will be removed without notice.

No cultivation of any kind will be allowed within or adjacent to a burial plot or adjacent to a cremation plot.

Floral tributes should not extend beyond the limits of the grave or Memorial Garden foundation slab.

If a family member would like to purchase and donate a tree in memory of a deceased person, then they should apply to the Parish Council. If approved, the donor may choose from a restricted list of approved trees and planting positions in the cemetery. The Council will then plant the tree at the agreed location within the cemetery to enhance its overall appearance. The donor will be permitted to have a small engraved plaque inserted at the base of the tree.

Temporary adornments will be allowed within the curtilage of the grave or memorial plot for a period of up to six months following the interment. At the end of six months, the family will be requested to remove all the items. Failing removal, the Council will remove and dispose of the items.

Following the levelling of a grave, surplus soil must be removed. If any damage is caused to any area of the cemetery, however caused, the Council will charge the perpetrator for the actual cost, including labour, of making good such damage, plus any legal or other costs incurred by the Council in achieving the reparations.

To enable the ground to settle sufficiently, approved headstones cannot be erected within six months of the burial, except in the case of infant burials for which headstones can be erected as soon as deemed appropriate by the Parish Clerk. This time elapse also applies to re-instatement of headstones following the re-opening of a grave.

If any grave is left untended for 12 months, the Council reserves the right to remove any obstacle which would restrict maintenance in the cemetery or damage machinery, having first made efforts to contact relatives responsible for the grave.

Any memorial erected without written approval of the Parish Council will be classified as unauthorized and will be subject to removal and storage until such time as a proper application is made and approved. A fee will be charged in respect of the removal and storage in addition to the appropriate erection fee.

If any discrepancies occur between the approved and actual headstone or tablet installation, or the fixing is incorrect or unsafe, then this shall be notified in writing to the mason completing the work and to the grave owner. The letter will specify what needs to be done to remedy the problem and any corrective or remedial work must be completed to the satisfaction of the Council within 14 days of the written notification.

### **Maintenance of Monuments**

The applicant, or his/her heirs or successors, is responsible for making arrangements to ensure that the headstone or tablet is maintained in good condition and that any necessary repairs are undertaken promptly.

The Parish Council will annually inspect the memorials at the Cemetery to assess their condition and safety. After each inspection the Councillor(s) responsible will provide a record of inspection to the Parish Clerk. The Council will decide what, if any, actions need to be taken.

### **Visitor Board**

The Council will purchase a board and erect it near the entrance gate to the cemetery. It will contain the contact details of the Clerk

### **Register Searches**

The Parish Council will, on request, make searches of its interment registers to individuals who wish to develop a family tree and/or trace long lost relatives. A fee will be charged and this is set out in our tables of fees.

### **Fees**

Fees are reviewed annually by the Parish Council. They are shown in Appendix 1 of this document.

### **Contacts**

The first point of contact for cemetery issues is the Clerk to Croughton Parish Council. She can be contacted at the Parish Council office at Croughton Village Hall. The Parish Council office is normally open on Mondays between 2.00 p.m. and 5.00 p.m. and on Wednesdays between 9.00 a.m. and 12 noon.

She can be contacted by telephone on 01869-819905.

She can be contacted by e-mail at [clerk@croughton.org.uk](mailto:clerk@croughton.org.uk)

The Parish Council's postal address is:

Croughton Parish Council  
Croughton Village Hall  
Wheelers Rise  
Croughton  
NN13 5ND

In the absence of the Clerk, please contact Councillor Rob Robbins or the Chairman.

### **Relevant Legislation**

Cremation Acts 1902 and 1952  
Open Spaces Act 1906, applied by the Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970  
Births and Death Registration Act 1926  
The Local Government Act 1972  
Health and Safety at Work Act 1974  
The Local Authorities Cemeteries Order 1977 SI 1977/204  
Public Health (Control of Disease) Act 1984  
Registration of Births and Deaths Regulations 1987 SI 1987/2088  
Environmental Protection Act 1990



### Croughton Cemetery Fees

The fees set out below were agreed at a meeting of Croughton Parish Council on 14 March 2011 and took effect on 1 April 2011.

They apply where the person to be interred (or in respect of whom the right is granted) is, or immediately before his/her death was, a resident of the Parish Croughton. In the case of a stillborn child, they apply if the parents, or one of them, are, or at the time of the interment were, residents of Croughton.

In all other cases, the fees will be doubled, except where exclusive right of burial in the grave in question (or the right of constructing the grave) had previously been purchased.

These fees do **not** include the digging of the grave.

#### Exclusive Rights of Burial in Earthen Graves

For the Exclusive Right of Burial in 99 years in an earthen grave:

- |     |  |        |
|-----|--|--------|
| i.  | The body of a stillborn child or a child whose age at the time of death did not exceed one month | £50.00 |
| ii. | The body of a person whose age at time of death exceeded one month                               | £85.00 |

#### Interments

***(a) For any interment in a grave in respect of which an Exclusive Right of Burial has been granted:***

- |      |  |        |
|------|--|--------|
| i.   | The body of a stillborn child or a child whose age at the time of death did not exceed one month | £45.00 |
| ii.  | The body of a person whose age at time of death exceeded one month                               | £80.00 |
| iii. | Cremated remains added to an existing grave  | £80.00 |

***(b) For any interment in a grave in respect of which an Exclusive Right of Burial has not been granted:***

- |      |  |        |
|------|--|--------|
| i.   | The body of a stillborn child or a child whose age at the time of death did not exceed one month | £45.00 |
| ii.  | The body of a person whose age at time of death exceeded one month                               | £80.00 |
| iii. | Cremated remains added to an existing grave  | £80.00 |

***(c) For any interment of cremated ashes in the Memorial Garden***

- |    |          |        |
|----|----------|--------|
| i. | Per plot | £50.00 |
|----|----------|--------|

### **Monumental Placings and Inscriptions**

For the right to erect or place on a grave or Memorial Garden Plot (for which Right of Interment has been purchased and approval to erect a memorial has been given as set out in the Policy):

- |     |  |        |
|-----|--|--------|
| i.  | Headstone or tablet<br>(This fee includes the first inscription) | £30.00 |
| ii. | For each subsequent inscription                                  | £20.00 |

### **Register Searches**

Any search	£10.00
Certified copy of an entry in the interment register	£10.00

**Extract from the Local Authorities Cemeteries Order 1997**

**Schedule 2, Part 1 – Exercise of Rights**

No burial shall take place, no cremated human remains shall be scattered and no tombstone or other memorial shall be placed in a cemetery, and no additional inscription shall be made on a tombstone, or other memorial, without the permission of the officer appointed for that purpose by the burial authority.

No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave, provided that the burial authority may, where they consider the soil to be of suitable character, permit a coffin made of perishable material to be placed not less than two feet below the level of any ground adjoining the grave.

No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave on a previous occasion by means of a layer of earth no less than six inches.

When any grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove therefrom any soil that is offensive.

Every walled grave or vault shall be properly constructed of suitable material.

Within 24 hours of any burial in a walled grave or vault, the coffin shall be:

- (a) embedded in concrete, and covered with a layer of concrete not less than six inches thick, or
- (b) enclosed in a separate cell or compartment of brick, slate stone flagging or precast concrete slab of 1:2:4 mix, in any case not less than two inches thick, in such a manner as to prevent, as far as is practicable, the escape of any noxious gas from the interior of the cell or compartment.

Any person to whose order a body is buried in a grave in respect of which an exclusive right of burial has been granted shall, as soon as may be convenient after the subsidence of the earth has been completed, cause the surface of the grave to be covered with any tombstone or other memorial in respect of which a right has been granted by the burial authority or any predecessor of theirs, or with fresh turf, or, where the burial authority permit, with such flowering or other plants, or in such other manner as may be permitted.