

# Willington Parish Council

## Willington Burial Ground Policy

### A. INTRODUCTION

1. Willington Parish Council is the Burial Authority for Willington Cemetery and the Responsible Officer for the Burial Authority is The Clerk to the Parish Council.
2. The overall care of the burial ground is the responsibility of the Burial Authority. The Parish Council takes its duties of maintaining the burial ground very seriously, and hopes that the families of the deceased therein will co-operate with the Parish Council's efforts to maintain a tranquil, tidy and well cared for environment.
3. The person making a purchase of an Exclusive Right Of Burial must be a resident of Willington and be on the electoral register at the time of purchase or when making the purchase for the immediate use of a recently deceased person, the deceased must have been a resident of Willington at death, subject to paras 5, 6, 7, 8 and 9 below. In the case of a stillborn child, at least one parent must be a resident of Willington at the time of the interment.
4. The ashes of a non-resident of Willington may be interred into an existing grave of a close relative, provided that the appropriate written permission from the Next of Kin of the recently deceased and the owner of the Exclusive Rights of Burial to the grave has been obtained. An "Application For Burial" form must also be submitted to the burial Authority together with the appropriate payment.
5. Serving members of HM Forces, whose family roots are in Willington, will be permitted to be buried within Willington Cemetery.
6. Students in full time education, residing in their educational institution or rented term time residences but using Willington as their family base may be interred in Willington Cemetery. Once their full-time education has ended they are deemed to no longer be resident in Willington unless they have returned to live in Willington on a permanent basis and meet the residency criteria.
7. Those who were residents of Willington in the past who had to move out of Willington to live in a residential care home for support will be permitted to be buried within Willington Cemetery provided that they went into care from either their Willington home or from a medical institution or had previously purchased a Grant Of Exclusive Right Of Burial whilst meeting the residency criteria.
8. Where an individual moves into Willington for the purpose of care by a near relative and subsequently requires interment in Willington, residency will deem to have been established after a period of six calendar months residing with the caring relative. If proof of residency cannot be established by either inclusion on the electoral roll, a

bank statement or a utility bill, a letter signed by a medical practitioner verifying the address of the deceased as being in Willington for six months shall suffice. The cost of producing any documentary evidence of residency is the sole responsibility of the applicant.

9. The Burial Authority reserves the right to consider every case on its merits and where it is felt appropriate to make dispensations to this policy. The decision of the Burial authority on such matters is final and not subject to the right of appeal.

## **B. GRANT OF EXCLUSIVE RIGHT OF BURIAL**

1. The Exclusive Right of Burial is purchased for an initial period of 50 years
2. At the time of purchase, the Grant of Exclusive Right of Burial will be in the name of the intended occupant of the plot unless the intended occupant is recently deceased. A maximum of two burials can be made in any one plot. Where the plot is intended for a double interment the grant will be made out in the names of both parties due to occupy the plot. The surviving grantee(s) assumes full rights to the plot upon the demise of the first grantee. It is strongly advised that any sole grantee seeks to have a second or third person(s) added to the grant by formal assignment. This will ensure that the Grant remains in the family or with the person(s) intended by the second deceased.
3. Should the grantee(s) wish to change their intentions as to who should be interred in the plot, this must be notified, in writing, to The Clerk to the Parish Council by the grantee(s). The Burial Authority will then decide whether such an alteration is acceptable. A formal, written transfer will be completed by the Burial Authority for a nominal fee in force at the time. Only the named grantee(s) may alter the name of the intended occupant(s) of the plot with the agreement of the Burial Authority. The decision of the Burial Authority is final and not subject to the right of appeal. Where there exists more than one grantee, all grantees must give written consent to authorise the interment of anyone other than a grantee.
4. Charges and Fees are periodically reviewed and are listed separately on the website.
5. Before the end of 50 years of the date of the original grant, the grantee(s) must contact the Clerk to the Parish Council in writing to express their wish to exercise their right to extend the grant for a further 25 years in exchange for the renewal fee in force at the time. Confirmation that the option to renew is being exercised must be confirmed in writing by the grantee(s) before the expiry date of the original grant.
6. Where the option to renew the grant is not exercised or the grantee(s) fails to contact the Clerk, the plot will revert back to the Burial Authority who will reallocate the plot to another purchaser.
7. It is the sole responsibility of the grantee(s) to ensure that any changes in their contact details are notified to The Clerk to the Parish Council. It is also the sole

responsibility of the grantee(s) to exercise their right to renew the grant before the expiry of 50 years from the original date of the grant.

8. Where the Grant of Exclusive Right of Burial is not renewed or lapses for any reason, no refund of any fees or charges will be made.
9. Where a grave is purchased for immediate use, a Grant of Exclusive Right Of Burial will be issued in the name of the purchaser and/or others. Should the plot be intended for double use, the second intended occupant will have the Grant in his/her name. Upon the demise of the second intended occupant, all rights and responsibilities for the grave and any memorials passes, via their will, to their heirs or another named grantee. Where there are (is) no living grantee(s) it will be necessary to complete a legal transfer using A Grant Of Probate or a Grant Of Letters Of Administration. Where the deceased dies intestate, the legal transfer of the grant to a successor has to be made using a Statutory Declaration. This can be done by contacting the Clerk to the Parish Council. The Burial Authority strongly encourages grantee(s) to ensure the transfer of the Exclusive Rights to third parties during the grantee(s') lifetime rather than there being a need for extensive legal procedures upon their demise.
10. Once the plot referred to in the Grant of Exclusive Right of Burial is occupied no further maintenance or renewal charges will be made. The Exclusive Right of Burial is granted for a period of 50 years from the date of the interment of the last interred. (See para 9 above to ensure continuity of family ownership of the grave).

### **C. CARE OF GRAVES AND MEMORIALS**

1. The Parish Council, as the Burial Authority, has a duty of care and is responsible for the safety of the burial ground and can take such actions as necessary to achieve this.
2. The Owner (the grantee of the Exclusive Right Of Burial) of a memorial is responsible for its maintenance and repairs and any other issues relating to the grave subject to any regulations in force at the time. Only the legal holder of the Exclusive Right Of Burial can exercise any rights over the grave or the memorial. Where no legal owner of the grave can be identified, the Burial Authority reserves the right to manage the grave and the memorial appropriately.
3. A visual inspection of all memorials will be undertaken every 3 years, or as required, by taking into consideration ground conditions and position of a memorial in relation to footpaths etc.
4. Memorials at risk will be identified and any immediate threat addressed at minimal cost to the Burial Authority.
5. Memorials found to be in immediate danger will be made safe by temporary staking in the upright position, embedding into the ground, or laying down flat.

6. Memorials will only be laid down as a last resort.
7. For those memorials identified as at risk, the owner will be contacted and asked to make the necessary repairs. Where there is no legal owner (grantee of Exclusive Right Of Burial) the memorial will fall into disrepair. Only legal owners may intervene in matters relating to a grave.
8. Memorials can only be erected after a "Permit for the Erection of a Memorial" has been issued by the Burial Authority. Such a permit is issued in response to an "Application for the Erection of a Memorial" and is usually issued to the Memorial Mason acting on behalf of the grantee. Where a grantee(s) wishes to have the permit issued directly to themselves, they should indicate this on their "Application To Erect a Memorial". An application form can be obtained from either the Parish Council web site, the Clerk to The Parish Council or from most local memorial masons. Applicants should ensure that their memorial mason has the necessary permit issued before commissioning a memorial mason the erection of a memorial.
10. The approved forms of memorials are:

### **Monolith Headstones**

- a. The maximum height of a headstone is 750mm from ground level. At least one third of the monolith should be below ground level. The maximum width of a monolith headstone is 900mm.
- b. The headstone must be erected by a nominated, professional memorial mason.
- c. The headstone must be secured into a concrete shoe to comply with NAMM's or BRAMM guidelines and BS 8414.
- d. A headstone cannot be erected until 6 months after interment.
- e. In any dispute concerning the height or width of a headstone or the level of the surrounding ground the decision of the Burial Authority is final.
- f. Flower vases are not permitted with monolith headstones.

### **Lawn Type Headstones**

- a. The maximum height of a headstone is 750mm from ground level including the plinth upon which the headstone might be mounted.
- b. The maximum width of a monolith headstone is 900mm.
- c. The headstone must be erected by a nominated, professional memorial mason.
- d. The headstone must be fixed to the plinth base which in turn must be secured by a recognised ground anchor system to comply with NAMM's or BRAMM guidelines and BS 8414.
- e. A headstone cannot be erected until 6 months after interment.
- f. In any dispute concerning the height or width of a headstone or the level of the surrounding ground the decision of the Burial Authority is final.
- g. Flower vases must be an integral part of the headstone plinth.

## Memorial Plaques

- a. Can only be placed over cremated remains.
- b. Memorial plaques must be flat and fitted on a concrete slab base (not exceeding 100mm greater in size than the memorial plaque) which should be flush with the grass.
- c. Memorial plaques must not exceed 450mm x450mm. (concrete slab 550mm x 550mm)
- d. If a flower vase is desired it must be incorporated into the plaque.
- e. Memorial plaques cannot be fitted until 3 months after interment.
- f. Where a holder of the Exclusive Right Of Burial to a cremation plot wishes to remove the plaque for the purpose of repair or amendment, or to replace an existing plaque, permission must first be sought from the Burial Authority and must involve using the services of a recognised memorial mason.
- g. Once removed, repaired, amended or replaced, the plaque must be reinstated by a recognised memorial mason, and if not previously mounted, must be mounted on a concrete slab (see C above). Where the original plaque is not 450mm x 450mm, the concrete slab must be 100mm larger than the plaque in both dimensions.
- h. The plaque must be secured to the concrete slab using a recognised stone adhesive or other anchoring system either of which must be approved by the Burial Authority before being commissioned.

## Memorial Vases

- a. Must not exceed 300mm in height.
  - b. A maximum of two vases are permitted and must be an integral part of either a lawn type headstone or, in the case of cremated remains only, a memorial plaque and must be an integral part of the monument.
11. Picture Cameos of the deceased only are permitted:-  
Headstone – Must not exceed 100 mm x 70 mm  
Cremation Tablets – Must not exceed 90 mm x 60 mm.  
In both cases the cameos must be an integral part of the manufactured monument.  
Laminated or similar photographs are not permitted to adorn the monument or place of interment.
12. A fee is payable to the Parish Council for the right to erect a memorial which includes the first inscription. An extra fee is charged for subsequent inscriptions.
13. Memorials must not be removed for further inscriptions or for cleaning without prior notification to the Clerk to the Parish Council and the issue of an appropriate permit.
14. Only one headstone can be allowed on each grave space.
15. For health & safety reasons and to help the ease of maintenance, please note:
- a. Only two vases on each grave memorial are allowed for flowers.
  - b. Kerbs are not permitted in the Burial Ground.
  - c. Glass vases, jars or glass ornaments must not be placed on graves.

- d. Turf must not be removed or any border erected around the grave.
  - e. Members of the Public wishing to help out with any maintenance work in the Burial Ground must first seek permission from the Burial Authority.
  - i. The Burial Ground is a lawned burial ground.
  - j. Plastic adornments and lighting of any kind is not permitted on graves
16. The Burial Authority will remove any unauthorised vase or other article placed or left on the grave.
17. Living bushes and plants etc must not be planted on graves or adjacent areas.
18. All graves will receive basic maintenance by the Burial Authority.
19. If you wish to place a seat in the Burial Ground please apply to the Clerk.
20. Relatives are responsible for removing dead flowers and holly wreaths. Holly wreaths are allowed to be placed upon graves from 1<sup>st</sup> December until the following 31<sup>st</sup> January. After this time the wreaths will be removed by the Burial Authority.
21. Following burial, flowers can be left on a grave for a maximum of two weeks as long as the flowers are still fresh. If they are not removed after two weeks the Burial Authority will remove them. Sympathy cards will be kept for collection from the Clerk to The Parish Council.

#### **D. BURIAL GROUND OPENING HOURS**

1. The Burial Ground does not have a car park. Persons parking their cars whilst visiting the Burial Ground should pay attention to the adjacent road markings and be sensitive to the needs of occupiers of neighbouring properties. Care should be taken not to impede funerals.
2. The Burial Ground is open from 9am to dusk, 7 days a week. For the sake of the health and safety of visitors, the Burial Ground should not be visited after dusk or before dawn.

The Burial Authority will be pleased to help or give advice should any be required. In such cases contact should be made with the Clerk to the Parish Council.