



Great Oakley Parish Council Burial Ground

Rules & Regulations (Revised)

August 2020



Burial Ground Address:-

The Avenue, Great Oakley, Harwich, Essex, CO12 5BL

Parish Clerk Contact Details:-

Tel: 01255 861116

email: gtoakleypc@aol.com

Rules and Regulations Governing the Use of the Burial Ground

RESPONSIBILITIES: The Parish Council for the Burial Plot and approval of memorials, Funeral Directors for the burial and Stonemasons for the memorial.

The Burial Ground provides both consecrated and unconsecrated plots and caters for all faiths and denominations. The Clerk can give advice on any matters relating to interments. Great Oakley Burial Ground comprises of two parts – New Burial Ground and Old Burial Ground. The old part includes Rows 1 to 21 and the new part Rows 23 to 33. There are some variations to the rules and regulations for each part as set out below.

Rules Specific to the Purchase of Plots and Interments

1. Plans of the Burial Ground showing grave plots and cremated areas are lodged with the Parish Clerk where information can be sought.
2. The Exclusive Right of Burial must be purchased and charges paid prior to interment or cremation. The Exclusive Right of Burial is for a period of 100 years. A Deed of Grant will be issued by the Parish Clerk in respect of each space purchased. NOTE: The ground is not purchased, it remains Parish Council's land, and it is only the Right of Burial that is purchased.
3. Fees for pre-paid burial plots, including memorial approval, are to be paid to the Parish Council in accordance with the Scales of Charges fixed by the Parish Council.
4. A non-resident charge will apply where the person being interred was not a inhabitant or parishioner of the Parish of Great Oakley immediately before death. The Parish Council will have the authority to waive the non-resident charges in cases where before death of a person they have lived in a residential/nursing home outside the Parish but lived in the Parish for at least 5 years immediately beforehand.
5. A person who purchases the Exclusive Right of Burial shall not convey, assign or transfer such right without the permission of the Parish Council. Transfer of Ownership is only valid if it has been registered and the Deed produced for endorsement.
6. It is advisable that once the grave owner has been interred arrangements are made for the Transfer of Ownership. On further burials/cremations additional inscriptions on memorials or installation where the original purchaser is deceased the new owner must demonstrate ownership of the grave by producing one of the following:-
 - a. A valid will
 - b. Grant of Probate

- c. Letters of Administration
 - d. If others are missing, a completed Statutory Declaration witnessed by a Commissioner of Oaths eg: Solicitor.
7. All appropriate certificates and interment forms relating to the death are to be received by the Parish Clerk prior to the interment.
 8. No vault or grave purchased with Exclusive Rights shall be opened without the written consent of the owner. This may take the form of a signature on the 'Notice of Interment' against the item 'If in a purchased grave or vault, Signature of the present owner'. The production of the Grant of such Right shall be conclusive evidence of the title of the person producing the same.
 9. Subject to regulation 21 and the purchase of a Right to Erect a memorial a temporary Marker Cross shall be placed at the head of the grave for a maximum of two years, subject to permission from the Parish Council, after which time the Parish Council reserves the right to remove.

Rules Specific to Interment in Graves

10. Only wood coffins or other suitable bio degradable materials are to be used. The excavation of all graves shall rest with the Funeral Director and their approved contractor. It is the Parish Council's policy that interments shall only be permitted under the auspices of an accredited Funeral Director, who will be contractually responsible for the interment and payment of all fees and charges to the Parish Council.
11. Each grave space footprint shall be 1.20m (4') by 2.75m (9') and shall face east to a depth of no less than 1.68m (5' 6") for double grave and no less than 1.37m (4' 6") for a single grave.
12. All graves shall be turfed over by the Parish Council once the grave has settled, at least eighteen months from interment to allow for settlement. No permanent mounds shall be allowed.

Rules Specific to Interment of Cremated Remains

13. Ashes should be buried at a depth of not less than 60cm (24") and must only be buried in a wooden or suitable bio-degradable container. It is permissible to place ashes in the ground without a container.
14. Double depth cremated remains interments will be permitted, subject to this being requested at the time of the first interment and the relevant fee being paid to the Parish Council in respect of each interment. Maximum of two interments per space with a single tablet/memorial no greater than 60cm X 60cm (2' X 2').
15. It is not permissible to scatter ashes in the burial ground.

Permanent Memorials

16. The old burial ground, in addition to memorials, permits kerbing within the purchased plot. The details must be submitted to the Parish Council for approval and the appropriate fee paid in advance as listed in the Scale of Charges.
17. The new burial ground, in addition to memorials, permits a single slab stone, subject to Regulation 24, but **does not permit kerbing**.
18. All memorials, slab stones, kerbing, flower pots, vases, planters or plaques shall remain the sole risk of the owners of the grave and the Parish Council shall not be responsible for any damage or breakage which may arise occasioned by storms, wind, lightning, subsidence, vandalism or any other cause.
19. Memorials are to be kept in good repair by the owners. A notice will be sent to the registered owner or to the known representative of the deceased if repairs are required and will have six months to rectify, after which the Parish Council has the right to remove. Owners of Exclusive Rights of Burial may be legally responsible if injury or damage is caused to anyone or anything due to lack of maintenance.
20. Every person wishing to erect a memorial, slab stone or kerbing must submit a drawing showing the form and materials of the stone, together with a copy of the intended memorial inscription, details of the fixing system to be used and insurance details of the Stonemason to the Parish Clerk. All designs are to be approved by the Parish Council before they are erected. Irreverent or factious inscriptions are not permitted. Memorial regulations are available on request from the Parish Clerk.
21. A memorial, slab stone or kerbing shall not be erected without the written permission of the Parish Council in the form of a written letter by the Parish Clerk. The number of the grave space corresponding with the grave book must be inscribed on every memorial, slab stone and kerbing .
22. The Parish Council suggests that at least eighteen months should elapse between the interment and the erection of any memorial, slab stone or kerbing as the ground may sink and the memorial, slab stone or kerbing could crack or fall of which the Parish Council accepts no responsibility.
23. The Parish Council has the power to remove any memorial, slab stone or kerbing which has been placed within the Parish Council's burial ground without the necessary authority and also to delete any unauthorized inscription appearing on any memorial.
24. There is currently no restriction on the type of material used for memorial stones, but they must be fixed on a suitable sub-base. It is the responsibility of the Stonemason to ensure that the required specifications as laid down by the National Association of Monumental Masons (NAMM) are met as this Parish Council accepts no responsibility for memorials, slab stones or kerbing which become unsafe due to inadequate fixings/methods being used at the time to erection. Suitable anchorage systems must be used on all memorials. A single slab stone must be laid on the grave at the same time and must be cut from the same piece of stone as the memorial

stone. The single slab stone must cover the entire grave, but must be no longer than the grave space in its entirety, inclusive of memorial stone and base, laid with a shoulder no higher than approximately 12mm (½ inch) above ground level for grass strimming purposes.

25. All materials, memorials, slab stone and kerbing must be conveyed into the cemetery by means of a suitable vehicle. Any damage resulting to graves, walkways or grounds by erecting or removal of memorials or performing other works must be repaired by and at the expense of the contractor or the person employing them; the Parish Council will not accept liability for any damage that may occur.
26. The owner or executor shall be responsible for the removal of memorials, slab stone and kerbing whilst reopening of graves and replacement of same within eighteen months. The cost of removal must be borne by the owner/executor and the Parish Council will not be responsible in the event of a memorial/slab stone/kerbing becoming broken, damaged, lost or destroyed during such work.
27. Under no circumstances is chicken wire, fencing or any other type of edging materials allowed, the Parish Council reserves the right to remove and dispose of such items.

Planting

28. With the prior permission of the Parish Council plants or flowers may be planted over graves only where kerbing is allowed. All other areas may have flowers or small plants in suitable receptacles and only on the base of the memorial. The Parish Council reserves the right to remove and dispose of all other types of adornments.
29. All rubbish must be removed from site and taken away for disposal by the individual. The Parish Council reserves the right to prune, cut down, dig up and remove any plants or flowers whenever in their opinion the same have become unsightly or overgrown. The Parish Council's Policy is that planting shall not be allowed on any graves without the prior permission of the Parish Council.

General Rules

30. The Parish Council forbids the receipt of any gratuity by any officer or servant employed by the Parish Council.
31. Any person who shall willfully destroy or damage any fence, gate, post, seat, railing, road, tree, shrub, plant, deface any memorial or commit any nuisance in the Burial Ground is liable to forfeit to the Parish Council on summary conviction a fine in accordance with the Local Authorities Cemeteries Orders 1997 or the Criminal Damages Act 1971.
32. All dead flowers, plants and litter must be removed and taken away for disposal off site. Dead flowers, plants and wreaths will be removed from graves at the discretion of the Parish Council.
33. A Register of all burials will be kept by the Parish Clerk; searches may be made by appointment.

34. The parish Council reserves the right to make alternations or additions from time to time to the specified Rules and Regulations, Charges & Fees.

I confirm I have received a copy of these Rules and Regulations
(Please print full name) and I have read, understand and accept them.

Signed

Dated

Next Review Date: August 2023