



# Blockley Parish Council Cemetery Policy MAY2023

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### 1. INTRODUCTION

This policy contains the rules and regulations which the council has in place in order to successfully manage the Station Road Cemetery and the graves within the cemetery. It has been written in line with government legislation and guidance. It is to be read in conjunction with the Memorials Policy and the Burial Grounds Maintenance, Safety, Inspection and Repair Policy

### 2. BACKGROUND

The cemetery is managed in accordance with the Local Government Act 1972 and the Local Authorities' Cemeteries Order 1977 under which burial authorities are responsible for maintaining statutory burial registers and grave plans, establishing rules and regulations relating to the management of the cemeteries and the memorials permitted within them and setting fees for burials and memorials.

Management of the cemetery is also subject to all other relevant legislation or regulations issued with regard to interments in burial grounds or cemeteries.

The policy applies to burials and to the burial or scattering of cremated remains in the cemetery. Blockley Parish Council may make alterations or additions to this policy and the fees and charges. The instructions of the council should be followed at all times.

The policy has been agreed by Blockley Parish Council and will be reviewed as required in response to changes in legislation or other guidance.

### 3. PURPOSE

The policy will allow the council to successfully manage the cemetery and burials and ensure this is done in accordance with the law.

### 4. CEMETERY RECORDS

All the statutory burial and cremation records for the cemetery are held at the council's office at the Heritage Centre, Park Road, Blockley and the register of burials and map are on the Blockley Parish Council website.

## 5. GRAVES

Purchasing a private (purchased) grave space (burial rights) A Grant of Exclusive Right of Burial can be purchased at the time an interment takes place or in advance to reserve a grave space for cremated remains. To reserve a full body burial space is not permitted.

When a grave is purchased, this refers to the purchase of the Exclusive Right of Burial in the grave space and not the purchase of the land itself. This means that you do not own the land but have the exclusive right to say who can be buried in the grave.

The council will issue a Deed of Grant to the person purchasing a private grave space and register them as the owner. The burial rights can be purchased for up to three interments and a fee paid on initial purchase. The number of interments will be indicated on the Deed. The council currently grants burial rights for a period of 100 years.

Memorials and headstones are only permitted on private graves and only with the council's prior permission.

The transfer of a Grant of Exclusive Right of Burial is a legal process and each transfer must be looked at individually. Contact the council for more information. Once the grave owner has been interred within the grave it is advised that the ownership is transferred. No further burials, interments, new memorials or changes to memorials will be allowed until ownership has been transferred. The new owner must demonstrate ownership of the grave by producing a will, grant of probate, letters of administration or a Statutory Declaration witnessed by an authorised court official, a Commissioner of Oaths, a magistrate or solicitor to prove that they are next of kin. A fee should also be paid. If the ownership is not transferred on the death of the owner, the grave will be considered to be closed.

Any selection of a grave space needs to be approved by the Clerk and consistent with the plan of the cemetery. Burials are only allowed in designated areas. Arrangements can be made to meet the Clerk to select a grave space.

Only the owner of the Exclusive Rights of Burial or their personal representative can authorise the reopening of the grave space. This authorisation must be received in writing. The Deed of Grant should also be produced when an interment takes place. Where this is not reasonably possible, any person whom the council considers to be entitled to request that the grave may be opened may do so by making a statutory declaration and giving indemnity to the council.

The ownership of the Exclusive Right of Burial in non-purchased graves remains with the council.

More than one interment may take place in the grave which may be of persons who are unrelated.

No memorials are permitted on unpurchased grave spaces.

All private graves and memorials should be kept in good repair by the owner. The council is not responsible for any damage caused to a private grave space. Items may be placed in the grave space. No item may be placed beyond this. This includes the planting or placing of shrubs or plants, vases, crosses, pictures, kerbing or any other item that may denote the grave boundary or restrict the maintenance of the area. Any such item may be removed without notice. The council may remove any material or inscription which is deemed to be outside of the memorial policy or may have fallen into disrepair. This includes lighting.

Fresh floral arrangements will be removed from all graves two weeks after the funeral.

Please read the Memorial Policy for further details.

#### 6. NOTICE OF INTERMENT AND REGISTRAR'S CERTIFICATE

A completed Notice of Interment and the registrar's or coroner's certificate must be received at least two working days before the day the burial is due to take place. The Notice must be signed by the grave owner or their personal representative. The council will not accept responsibility for the accuracy of the details contained in the Notice of Interment. The council will not accept verbal instructions. Once this form has been accepted no alteration to the arrangements will be allowed apart from the time of the burial. In this case notice should be given to the council at least 24 hours before the time the burial is due to take place.

#### 7. BURIAL PROCEDURES

Graves can only be excavated by someone appointed to do so by the council. Prior to a funeral the grave will be excavated and dressed with artificial matting. The excess soil will be placed on the nearest adjacent area. Space restrictions sometimes mean this may be another grave space. Where this is the case, grave adornments will be removed, the grave covered, and the area reinstated following the burial.

Once the mourners have left the graveside the grave will be backfilled using the soil that has been placed nearby. In the weeks following a burial the soil will compress and the mound will reduce. Once the soil has settled the council will level the grave and apply grass seed.

A grave space subject to an Exclusive Right of Burial would usually be expected to allow one, two or three interments.

The burial of cremated remains is allowed up to a maximum of six within each grave space.

More than one burial at any one time in a grave will need to be authorised by the council and authorisation is required for each interment.

When any grave is re-opened for another burial no person shall disturb or remove any human remains already interred.

The funeral director or persons arranging the funeral should ensure that there are sufficient bearers to carry out the service. Council officers will not assist in the moving, carrying or lowering of the deceased.

#### 8. FEES AND CHARGES

Fees are set by the Council. Fees are reviewed at least annually and approved by Council. These are available on the website at [blockley.org.uk](http://blockley.org.uk). Any payment due is required in full in advance unless a funeral director is arranging the funeral. Fees are different for residents and non-residents.