

Burial Ground Rules and Regulations
v2.0

Nettleden with Potten End Parish Council

July 2022

NETTLEDEN WITH POTTEN END PARISH COUNCIL
BURIAL GROUND RULES AND REGULATIONS
2022

Interpretations

- ‘The Council’ - means the Nettleden with Potten End Parish Council
- ‘The Burial Ground’ – means the Burial Ground situated at the junction of Hempstead Lane and Pouchen End Lane
- ‘The Clerk’ - means the Clerk of the Nettleden with Potten End Parish Council or his/her representative
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The Council reserves the right to make an alteration or addition to the under mentioned rules from time to time as may be found necessary.

The Council will not be held responsible for the safekeeping of, or accept any liability of any accident or damage to, memorials. The Council reserves the right to remove any broken or damaged portions of memorials or other things which, in their opinion, have become unsightly or objectionable as occasion may require.

The Council accepts no liability whatsoever for any injury caused to any person or any damage done to any property in the Burial Ground.

OPENING TIMES

The Burial Ground is open to the general public at all times, via the pedestrian entrance, except that the Council reserves the right to lock the Burial Ground gates if it is considered appropriate to do so at any given time.

NOTICES REQUIRED

All notices of interments shall be made in writing on the printed forms supplied by the Council and obtainable from the Clerk. Notice of an interment in an earthen grave space shall be delivered at least three clear working days before the interment. The Council reserves the right to require longer notice where necessary.

All interments shall be conducted in accordance with the statutory provisions for the time being in force. A Registrar's certificate or Coroner's order or a declaration in the form prescribed by the Births and Deaths Registration Act 1926 and any amendment or re-enactment thereof must be provided before any interment can take place. For the interment of cremated remains a Certificate must be provided from the Cremation Authority.

BURIALS

1. The Council reserves the exclusive right to permit burials or interments within the Burial Ground.
2. Permission will be granted to those persons who were ordinarily resident within the Parish at the date of death.
3. Permission will also be granted to those persons who have at any time resided within the Parish for a period of one year or more.
4. Permission will also be granted to those persons or close members of their family reasonably determined by the Council to have a significant connection with the Parish.

RESERVATION OF GRAVE SPACE

1. The Exclusive Right of Burial is granted for a period of 50 years.
2. No person shall be allowed to hold at one time the Exclusive Right of Burial in respect of more than two spaces except by express permission of the Council.
3. The Parish Council reserves the right to allocate burial spaces as available. No reservation of any plot will be permitted.
4. After the interment of the registered owner of the Exclusive Right of Burial to any earthen grave space, the legal personal representative shall produce to the Parish Council, Probate of the Will of the deceased or Letters of Administration to his or her estate, or such evidence as the Council shall require so that the change of ownership may be duly established and registered after payment of the prescribed fee. Until satisfactory proof of ownership shall have been given an earthen grave space shall not be opened or otherwise dealt with.

5. The Parish Council reserves the right to levy an administration fee in the event that the Clerk is required to carry out exceptional duties (eg. attending weekend funerals and attending funeral directors).

GRAVES

1. A small mound of earth will usually be left immediately after the interment. The grave will usually be marked by a simple wooden cross. After a period of one year, the Council shall level the ground and sow grass seed or lay turf over the area of the grave. Reasonable settlement must have taken place and weather conditions suitable prior to any seeding and turfing taking place.
2. The Council reserves the right to level the surface of any grave.
3. For the interment of uncremated human remains in an earthen grave space, a coffin shall be used and shall be constructed of wood or biodegradable material and shall not be lined with an impervious material.
4. For the interment of cremated human remains in an earthen grave space, the ashes shall be contained in a biodegradable sealed receptacle. There shall be no scattering of ashes on the land.
5. At the discretion of the Parish Council, cremated pet remains may be buried in their owner's grave. These must be contained in a biodegradable sealed receptacle and buried at a depth of a minimum of 1m.

FLORAL TRIBUTES

6. Flowers and wreaths placed upon a grave or memorial stone on the day of the interment may remain for up to fourteen days after which time the Council may remove them.
7. The planting of spring bulbs only is permitted on the area of the grave prior to seeding or turfing and is to be encouraged. The planting of perennials, shrubs, bushes and trees shall not be permitted without the prior written permission of the Parish Council and Mr Peter Groom.
8. Flower vases are permitted and should be kept at the base of the memorial. Where a headstone exists, tributes should be restricted to the ledge intended for this purpose. Separate vases should not be placed elsewhere in the grave space. No case, ornament, jar, vase or similar article shall be placed on any grave space once the ground has

- been levelled. The Council shall remove any dangerous, neglected, broken or unsafe articles or material considered to be a nuisance. Artificial flowers are not permitted and will be removed by the Council.
9. No stone or heavy pots or troughs to be placed on the grave space at any time.
 10. On the memorial stones which form part of the memorial path, and its adjacent semi-circle, non-breakable containers only are permitted. Any containers must be confined within the perimeter of the memorial stone. Please remember that this area is also a walkway.

HEADSTONES AND MEMORIALS

It is usual for a grave to take a year to be levelled and the earth to be stable. Once this is done an application may be made for the introduction of a memorial. All work should comply with the code of working practice of the National Association of Memorial Masons. Memorial Deeds will be supplied by the Council upon receipt of a certificate of guarantee for the memorial or headstone. This deed will be valid for the term the Memorial Mason guarantees the headstone or memorial.

1. The headstone is the property of the grave owner and as such they must ensure that a registered mason or a Funeral Director carry out any works on their behalf.
2. Free standing headstones cannot be left in the Burial Ground under any circumstances. Any un-fixed memorial remaining in the Burial Ground will be removed.
3. The foundations of a headstone should be at or below the surface of the ground so that a mower may pass freely over it. They should be constructed and placed as to ensure safety and stability.
4. Headstones shall be fixed in line with existing memorials in the same row.
5. Ornaments, figures or additions to memorials will not be permitted. Chippings, kerbing, edging, fencing, broken or crazy paving is not permitted.
6. Headstones or memorials should not exceed 120cm (4ft) in height, measured from ground level, 90cm (3ft) in width and 15cm (6") in thickness. They should not be less than 60cm (2ft) in height, 50cm (1'8") wide and 6.5cm (2.5") in thickness. If slate is used, headstones should not be less than 5cm (2") in thickness.

7. Headstones or memorials may contain an integral base of not more than 90cm (3ft) wide. The base should not be more than 30cm (1ft) overall from front to back and not more than 22.5cm(9") high.
8. Natural materials only should be used eg. stone, slate or oak. Dove Grey Marble only is permitted. The materials selected should be in sympathy with the colour and texture of the Burial Ground and its surroundings. No polished materials of any colour, or gold lettering will be permitted.
9. Applications for permission to erect a memorial shall be submitted to the Clerk and shall contain exact details of the memorial to be erected and any proposed inscriptions thereon, together with a sketch plan of the proposed memorial. No photo plaques on the memorial stones will be permitted. Monochromatic ceramic tiles may be permitted. The Council reserves the right to refuse permission for any memorial.

No memorial shall be placed in the burial ground until the Memorial Deed has been issued and the appropriate fee has been paid to Council.

The grave section or plot number may be inscribed at the base or foot of any headstone or memorial.

Headstones/memorials will be subjected to a Memorial Stability Test. This test will be performed no less than once every 5 years. Memorials having a current memorial deed that fail the stability test will have the headstone lowered – inscription facing upwards – within the confines of the grave space. The owner will be contacted by letter. The Council reserves the right to remove any memorial/headstone that no longer has a valid memorial deed.

MAINTENANCE

All maintenance work in the Burial Ground shall be carried out by the Council's approved contractors.

First Adopted 15th May 2008

Sources:

The Diocese of St Albans – A Guide to Churchyard Regulations 2004

Dacorum Borough Council Cemetery Regulations

Chorleywood Parish Council – Lawn Cemetery Rules

Department for Constitutional Affairs – Guide for Burial Ground
Managers

Sam Weller – Guide to Funerals and Bereavement

First Revision 21st July 2022

Rule 4 was amended to read “Permission will also be granted to those persons or close members of their family reasonably determined by the Council to have a significant connection with the Parish.”