

Long Melford Parish Council

The Parish Offices
Cordell Road
Long Melford
Suffolk CO10 9EH



Regulations for the Management of Long Melford Cemetery

These Regulations follow the ICCM model format.

Regulations adopted by the Parish Council on 7th October 2021

under the powers conferred by Article 15 of the Local Authorities' Cemeteries Order 1977.

Long Melford Parish Council

Regulations for the Management of Long Melford Cemetery

These Regulations are made by Long Melford Parish Council under Section 214 of the Local Government Act 1972 and the Local Authorities' Cemeteries Order 1977.

INTERPRETATION

1. In these Regulations:
 - **Council**, shall mean Long Melford Parish Council acting as Burial Authority for the Civil Parish of Long Melford.
 - **Cemetery**, shall mean the municipal cemetery located to the North-West and to the east of the Holy Trinity Church, Rectory Gardens, Long Melford, Sudbury CO10 9DT and immediately adjacent to its churchyards.
 - **Cemetery Manager**, shall mean the manager appointed by Long Melford Parish Council to be responsible for the functioning, administration, and maintenance of the Cemetery.
 - **Grave space**, shall mean any grave or cremation plot.

ADMISSION TO THE CEMETERY

2. Except as ordered by the Government or the Burial Authority, the Cemetery is open to visitors at all times.
3. Visitors must behave in a manner that shows respect to the deceased and the bereaved, avoid walking on occupied graves and not sit, stand or lean on memorials. Any person behaving in a disrespectful, disorderly or noisy manner may be asked to leave the Cemetery.
4. Dogs must be kept on a lead at all times inside the Cemetery and must not be allowed to foul any part of it.
5. No picnics, sunbathing, or physical recreational activities are allowed in the Cemetery.
6. Anyone who persistently fails to comply with these Regulations may be refused access to the Cemetery.

BURIAL RIGHTS & FEES

7. The Cemetery is non-denominational and within these Regulations shall provide civic burial facilities to people of all faiths, and those of no faith.
8. Each burial shall be subject to payment of the appropriate burial fee, as set out in the Table of Fees (published separately).
9. All fees are non-negotiable and apply to residents of the Civil Parish of Long Melford and non-residents alike.
10. Where a fee is due it must be paid in full prior to the funeral or the placement of a memorial. The Council will refuse to allow a funeral or memorial placement to take place where any fees remain outstanding and unpaid.
11. The current fees for all rights relating to burials and memorials shall be published annually as scheduled in a Table of Fees and will be available on the Council's website, and from the Cemetery Manager and the Parish Clerk on request. These fees are subject to change by resolution of the Council without notice.
12. Scheduled fees do not include digging. Undertakers must provide their own diggers unless by prior arrangement with the Cemetery Manager, where additional fees may be applicable.
13. The scheduled fees apply irrespective of the Exclusive Right of Burial, which must be purchased on reserving a future interment and/or the right to erect a memorial.

14. Where the deceased is a child under the age of 18, or stillborn after the 24th week of pregnancy, the scheduled fees will not be charged to the bereaved as they are recoverable by the Burial Authority, cremation authorities and funeral directors under The Children's Funeral Fund for England Regulations 2019.
15. A plan showing the position and allocation of grave spaces may be seen by appointment with the Cemetery Manager.
16. Purchasers of grave spaces shall be granted an Exclusive Right of Burial. This Right shall be valid for 75 years from the date of purchase, after which it will revert to the Council.
17. A Certificate of Exclusive Right of Burial is only issued to pre-purchasers of grave space and confers no proprietary rights upon the grantee in respect of Cemetery land and will not affect the Council's right to carry out its obligations under the Local Authorities' Cemeteries Order or its right to enforce these regulations in respect of any grave space for which an Exclusive Right of Burial has been granted.
18. The grantee of a Certificate of an Exclusive Right of Burial will receive a written grant signed by the Cemetery Manager specifying a grave space numbered on the Cemetery Plan. The grant will be registered in the Register of Exclusive Rights of Burial kept by the Cemetery Manager.
19. The owner of an Exclusive Right of Burial may assign that right by deed or will. The assignee must inform the Council in writing giving full details of the assignment and it must not be exercised until this has been registered by the Cemetery Manager.
20. The Burial Register and Register of Grants of Exclusive Rights of Burial kept by the Cemetery Manager may be inspected by prior arrangement with the Cemetery Manager, and certified extracts obtained upon payment of a prescribed fee.
21. At the Cemetery Manager's discretion, they may assist members of the public with academic, historical, ancestral, and genealogical research and enquiries, for which a fee may be payable.

BURIALS

22. Burials must not be carried out without the permission of the Cemetery Manager.
23. Coffins must not be of any material other than wood, or a material derived from wood or other biodegradable material.
24. Before a burial is arranged, the location and number of the grave space or cremation plot must be agreed with the Cemetery Manager.
25. All burials in February to November inclusive shall take place on a working weekday between 10:00 am and 4:30 pm, and in December and January between 10:00 am and 3:00 pm, at a time and date as agreed by the Cemetery Manager. At the Cemetery Manager's discretion burials outside of the standard periods may be permitted in exceptional circumstances.
26. No burial shall take place until the person or firm arranging the burial has delivered the following to the Cemetery Manager:
 - (a) A Request for Burial Confirmation Form by email.
 - (b) The Registrar's Certificate for Burial or Cremation, or a Coroner's Order for Burial (and in the case of a stillborn child, a certificate from the Registrar that the stillbirth is registered or received official notice of it or received the Coroner's Order for Burial)
 - (c) In the case of a Cremation, certification by the crematorium that the Notification of Burial or Cremation has been (or will be) sent to the Registrar
 - (d) The appropriate fees paid according to the Table of Fees
 - (e) If the burial is to be made in a plot for which an Exclusive Right of Burial has been granted and the deceased is not the owner of that Exclusive Right, the original grant document and the written and signed consent of its owner.

27. Unless in exceptional circumstances immediate burial is required (See Regulation 25), the appropriate documents and fees listed in Regulation 26 must be delivered to the Cemetery Manager, or to the Parish Council Clerk or Responsible Financial Officer, at least two full working weekdays before the burial.
28. The Request for Burial Confirmation Form referred to in Regulation 26(a) must include all of the information required for the interment and, in particular, the full name and address of the grantee (owner) of any Exclusive Right of Burial.
29. The burying or scattering of animal remains in the Cemetery, whether or not an Environmental Disposal Licence has been issued, is strictly prohibited.

GRAVE SPACES

30. Long Melford Cemetery is maintained as a lawn cemetery. All grave spaces must be simple earthen graves, and new graves must be lawn plots without a physical or visible boundary. Kerbed, bricked, or vaulted graves, or the covering of new graves with chippings, gardens, artificial grass, or other material to delineate them, shall not be permitted. Any non-compliant items or material will be removed.
31. All grave spaces shall have the dimensions and spacing given in Annex A and shall be positioned and numbered in conformance with the Cemetery layout, or as instructed by the Cemetery Manager.
32. No grave is to be dug without the permission of the Cemetery Manager. However, where permission for a burial is granted, it includes permission to dig the grave in the space that was agreed with the Cemetery Manager.
33. All graves are to be dug or excavated in accordance with the relevant provisions of the Local Authorities' Cemeteries Order 1977.
34. The standard grave depth is 5 feet for a single grave and six feet for a double grave, and no grave is to be dug more than 9 feet deep.
35. All new graves for which Exclusive Right of Burial has been granted (except graves for the burial of Cremated remains) must be dug to a depth sufficient to allow a second subsequent burial, unless special permission for a single grave has been granted by the Cemetery Manager in advance.
36. Graves for burial of cremated remains are to be dug to a sufficient depth to permit complete covering of any receptacle in which they are kept. A subsequent burial may be made beside the first one, but this must be within the nominal dimensions of the grave space (see Annex A).
37. No more than two burials can be made in a grave for cremated remains unless special permission has been obtained from the Cemetery Manager in advance.
38. Cremated remains must not be scattered anywhere except beneath the surface of the purchased grave space.
39. No cremated remains are permitted in burial plots unless interment is to take place in a used grave space or in a space reserved for ashes burial.
40. Sufficient of the soil removed in digging a grave must be returned to ensure that, after all settlement is complete, the level of the grave does not lie below the level of the ground around it. Only sufficient soil to allow for compaction must be left after filling. Any surplus soil must be removed to a designated area. The ground must be levelled when any headstone is installed, and the soil likewise removed.
41. When digging a grave the Council reserves the right to place the soil from it on an adjacent grave, which will be protected by placing a temporary covering over it onto which the soil will be deposited. This process will be carried out so as to minimise the length of time soil rests over an adjacent grave, and a grave covered in this way will be uncovered and reinstated to its previous condition once the adjoining burial has been completed.
42. The Council shall not be responsible for sunken ground caused by a grave digger, or for making good any such sunken ground, and it will remain the sole responsibility of the grave owner to address any problems of this nature directly with the grave digger. However, the Council reserves the right to level sinkage where this is necessary to facilitate grass cutting.

43. Providing the grave is reasonably stable, all new plots will be turfed by the Council but not before 6 months have passed since the burial. Any plot turfed by the grave owner will void all Council responsibility for the upkeep and maintenance of it.
44. In accordance with the Environmental Permitting (England and Wales) Regulations 2016, water cannot be pumped from a waterlogged grave onto spare land in the cemetery. Should the eventuality arise, it shall be the sole responsibility of the undertaker to provide at their expense a bowser for the removal of the water and transport to a suitable location for safe disposal.

MEMORIALS & VASES

45. Memorials must not be erected, removed, altered, nor have further inscriptions added to them, without the permission of the Cemetery Manager. Once approved the inscriptions may be incised, painted, or inlaid with lead or bronze.
46. Memorials can only be erected on graves for which Exclusive Right of Burial has been granted.
47. An application for permission to erect a memorial must contain all the information called for in the Confirmation Form and only be erected by a National Association of Memorial Masons (NAMM) qualified person.
48. Memorials must not be erected until the ground level has stabilised and not before 6 months have elapsed since the burial.
49. All memorials must be installed so they line up with existing memorials along and across the rows. The Cemetery Manager has the right to request the stonemason to rectify any unsuitable installation.
50. All memorials must be of natural stone.
51. The maximum dimensions allowed for memorials are:
 - (a) On full sized graves, an upright stone of maximum dimensions 32 inches high above ground level by 24 inches wide. A wider memorial may be permitted if it straddles two graves lying side by side in a row.
 - (b) On graves for cremated remains, a small upright memorial of maximum dimensions 24 inches high by 18 inches wide.
 - (c) Vases & tablets incorporated in a headstone are permitted of maximum dimensions 9 inches high by 2 inches wide. Other vases and tablets cannot be placed on a grave once it has been turfed.When calculating the overall height of a memorial, the base must be included in the measurement.
52. Headstones on full-sized graves must be placed at the western end of the grave space facing eastwards.
53. The Cemetery is a lawn cemetery, and the following rules shall apply.
 - (a) No vases shall be placed on grave spaces.
 - (b) Those requesting that a headstone is installed on a grave space must agree in writing that:
 - i. All pots, ornaments, and fences shall be removed prior to any stone being placed.
 - ii. That the grave will remain free from the abovementioned items afterwards.
 - iii. That the Cemetery Manager shall have the right to remove any of the abovementioned items at any time and at their sole discretion.
54. In the Cemetery cremation areas only upright headstone-style stones are permitted, with the exception of Sections 1 and 2 where only flat stones are permitted. (See map, Annex B).
55. The Council reserves the right to remove any monument or vase that does not meet the proper specifications, or is of poor workmanship, or where the relevant fee has not been paid.
56. Previous non-compliant memorials or vases cannot be used as a precedent. Any chippings, gardens or artificial grass placed around new memorials will be removed.

57. All memorials and vases are installed entirely at the owner's risk and must be kept safe and in good repair. The maintenance of a memorial and/or vase is the responsibility of its owner, who may wish to consider taking out insurance to cover maintenance, loss, or theft.
58. Any memorial that becomes unsafe or unsightly and is not repaired will be reported to the owner. Where it is necessary for the Council to take action, including the removal of a memorial, to ensure the health and safety of the public and staff then the cost of this will be charged to the owner.
59. It is the Council's policy that an annual risk assessment of memorials shall be carried out. Where the memorial is over 2.5 metres (8 feet' 2½ inches) high only a NAMM registered structural engineer shall be qualified to conduct the assessment.
60. Any memorial that is found to be unsafe may be laid flat if it is considered to pose an imminent danger, and notice of this shall be given to the owner with a request that they take action to rectify the situation within 28 working days of notice issue. If after, that time, the situation has not been rectified then the Council may arrange for the memorial to be permanently removed, the cost of which may be recharged to its owner.
61. If a memorial or vase is the subject of theft, unauthorised removal, vandalism or damage then it is the sole responsibility of the owner to investigate the matter and report it to the police as they consider necessary. Any such instances should also be reported to the Cemetery Manager.
62. The Council does not accept any responsibility or liability for damage to, or the loss of, any memorial or vase howsoever caused.

MEMORIAL TRIBUTES, BENCHES, AND TREES

63. All floral tributes will be removed and disposed of one month after the interment to which they relate.
64. Tributes marking religious festivals may be placed at a memorial for a period of 14 days, or until the end of the religious festival, after which period they will be removed and disposed of.
65. The Council reserves the right to remove and dispose of any tributes which have deteriorated or become unsightly.
66. All applications for the installation of a memorial bench must be made to the Cemetery Manager in writing, for agreement by the Council.
67. Memorial benches must be of an approved material, type, and design, and purchased through Council. No other memorial items may be placed on, or included in the fabric of, a memorial bench.
68. The location of a memorial bench within the Cemetery shall be as agreed with the Council, which reserves the right to relocate benches on site to meet operational needs.
69. The wording of any memorial text whether carved or inscribed on a plaque, including its size, style, and font, shall be as agreed by the Council.
70. Upon purchasing a memorial bench it shall become the property of the owner, and the responsibility for its ongoing maintenance and insurance shall remain the responsibility and liability of the owner.
71. Memorial benches will be assessed by the Cemetery Manager at least annually. If maintenance is required then notice of the work needed shall be provided to the owner in writing, and they will have 28 days from the date of notice issue to engage the work.
72. At the Council's sole discretion, any unauthorised memorial bench, or authorised memorial bench which is not maintained and falls into disrepair, shall become subject to a notice of removal. The notice will be fixed to the bench and, where possible, be provided to the bench owner in writing, whereupon they will have 28 days from notice issue to arrange for its removal, after which the Council will arrange for its disposal.
73. Memorial trees of a size and species to be agreed with the Council may be planted at specified locations within the Cemetery with the Council's written permission.
74. No other memorials or items may be placed on or around a memorial tree.
75. Memorial trees are not permitted on or immediately adjacent to graves.

WORK IN THE CEMETERY

76. No work is to be done in the Cemetery without the permission of the Cemetery Manager. Permission for a burial or the erection or alteration of a memorial includes permission for all necessary work.
77. Despite the granting of permission, persons responsible for work in the Cemetery must give the Cemetery Manager advance notice of the time and date they propose to carry out such work.
78. Anyone working in the Cemetery must:
 - i. Comply with all relevant provisions of the Local Authorities' Cemeteries Order 1977 and the Health and Safety at Work Act 1974.
 - ii. Present at the Cemetery Manager's request proof of their public liability insurance.
 - iii. Comply with all reasonable directions and requirements of the Cemetery Manager
 - iv. Make good at their own expense any damage they cause.
 - v. Volunteers shall be required to work under the direction of the Cemetery Manager and comply with all relevant risk assessments.
79. All spoil and rubbish must be removed and the site must be left in a clean and tidy condition.
80. Should damage be done to any area of the Cemetery, the Council will seek to recover from the perpetrator the cost of repair plus any legal or other costs incurred by the Council.
81. The Council does not accept responsibility or liability for any damage or injury to any person or object arising from work done in the Cemetery except for that arising from work done by its own employees.
82. The Council will maintain the grassed areas of the Cemetery and keep the grass cut to a high standard.
83. If a grave is left untended for 12 months the Council reserves the right to remove any obstacle which could restrict maintenance in the Cemetery or damage machinery, having first made efforts to contact owners of it or relatives of the deceased.
84. Upkeep of the grave space around the Memorial itself is the responsibility of the person or persons who ordered the burial and/or the owners of the Exclusive Right of Burial.
55. The Council reserves the right to cut back or remove any growth higher than 2 feet on any grave space and any growth outside the area of a grave space.
85. The Council reserves the right to charge the persons responsible for the upkeep of a grave space for any costs it incurs in maintaining or tidying it as a consequence of their failure to do so.

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ANNEX A

DIMENSIONS AND SPACING OF GRAVES & POSITIONING OF MEMORIALS

Regulations to be followed when digging new graves and erecting memorials

GRAVES

1. If markers exist, they must be followed.
2. All new graves must be laid out so they conform to the Cemetery Plan, a copy of which may be inspected by arrangement with the Cemetery Manager.
3. All graves must have the same nominal dimensions at the surface and be in line both along and across the rows.
4. The nominal length of each full-sized grave space including the memorial is 7 feet and the nominal width 2½ feet, but it may be dug appropriately for the coffin or casket size.
5. Each new full-sized grave is to be dug so that the centre-to-centre distance between the rows is 4½ feet and the centre-to-centre distance between graves along each row is 9 feet. Full-sized graves are to be dug from the end opposite the memorial in such a way that any un-dug space is under the memorial.
6. New full-sized graves for which an Exclusive Right of Burial has been granted must be dug to a depth sufficient to allow a second burial, unless special permission has been granted for a single grave. (6 feet)
7. Each new grave for the burial of cremated remains is to be dug so that the centre-to-centre distance between graves is 3 feet and the front edge of the grave space is not more than 3 feet from the fence line or front edge of the grave space(s) behind it. The nominal size of each grave space for cremated remains is 1½ feet front-to-back and 2 feet wide.

MEMORIALS

8. If markers exist, they must be followed.
9. Memorials on full-sized graves must be erected so they are in line with others along and across rows.
10. If a memorial is erected on a base or plinth, the base or plinth must not be less than 2½ feet wide, so that it sits on un-dug ground on either side of the grave.

Long Melford Parish Council Regulations for the Management of Long Melford Cemetery

ANNEX B

CEMETERY MAP

