

SHIPDHAM PARISH COUNCIL

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Shipdham Parish Council
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SHIPDHAM Cemetery Fees 2019

Fees fixed under Section 15 of the Local Authorities Cemeteries Order 1977 Fees relating to use of Shipdham Cemetery are as follows with effect from 1st January 2019.

Interment of Infant/Child up to 16 years: no charge

Interment of Adult over 16 years: £232.00

Interment of Ashes of Infant/Child up to 16 years: no charge

Interment of Ashes of Adult over 16 years: £114.00

PURCHASE OF EXCLUSIVE RIGHTS OF BURIAL:

Burial Plot with Exclusive Right for 50 Years: £150.00

Cremated Remains with Exclusive Right for 50 years £100.00

Memorial Fees:

Small vessel/vase: £81.00

Small wooden cross: no charge

Headstone not exceeding 3 feet high with original inscription £158.00

Addition Inscription £25.00

Ashes: Small Tablet Plaque £81.00. Max size 18" x 18" x 4" high

Additional inscription £25.00

The Cemetery Regulations come into force on January 2019

These regulations shall be known as "Shipdham Cemetery Regulations 2017" and are made pursuant to Section 3(1) of the Local Authorities Cemeteries Order 1977 and to the Local Government Act 1972.

The Council reserves the right to alter or vary these regulations or to deviate therefrom in any particular instances if it is desirable to do so.

Shipdham Parish Council, The Local Authorities' Cemeteries Order 1977 and The Local Government Act 1972. These Regulations apply to the Cemetery at Pound Green Lane, Shipdham.

1. Interpretation

“Adult grave” means an area not exceeding nine feet (2.75m) x four feet (1.22m).

“Body” means the body or cremated remains of a deceased person brought to the cemetery for burial.

“Burial notice” means the Notice of interment form produced by the Council.

“Burial plot” means the area of land, not exceeding nine feet (2.75m) by four feet (1.2m), identified on the cemetery plan in which a grave or vault is situated.

“Child's grave” means a grave for children aged 16 years or under.

“Coffin” means a container constructed of wood; metal; bio-degradable or other material; or a shroud in which the body is enclosed for the purpose of burial.

“Council” means Shipdham Parish Council.

“Cremation plot” means an area not exceeding two feet (0.61m) x two feet (0.61m).

“Exclusive Right of Burial” means the right, granted by the Council for a limited period not exceeding 50 years, to bury a body in a specified burial plot.

“Extraordinary Funeral Procession” includes any funeral under the control of the military services, civil authority, members organisation, or where there is the potential for damage to the fabric of the cemetery or disturbance to other visitors to the cemetery.

“Family” mean those persons related by blood, marriage or civil partnership or the adopted children of any such relationship.

“Grave” means a burial space, formed in the ground by excavation, without any internal wall of brickwork, stonework or other lining.

“Grave owner” means the person who is registered with the Council as the owner of the Exclusive Right of Burial or the person responsible for the grave.

“Memorial” means a headstone, tablet, or cross.

“Memorial owner” means the person who is registered with the Council as the owner of the Exclusive Right of Burial.

“Pre-viable foetus” means any foetus that requires the use of the pregnant woman's body to achieve viability.

“Purchased” grave means a grave in respect of which an Exclusive Right of Burial therein has been granted by the Council.

“Stillbirth” means that defined by section 41 of the Births & Deaths Registration Act 1953 and the Still-Birth (Definition) Act 1992.

“Vault” means a burial space, formed in the ground by excavation, with an internal wall of brickwork, stonework or other lining.

2. Burial Notices

2.1 The Council's "Application for Interment" form should be completed in full as a notice of burial.

2.2 The notice must be delivered to the Clerk at least three clear working days before a burial in a grave.

2.3 If such notice is not given but the Council agrees to the burial taking place an extra charge may be made.

2.4. The Registrar of Births and Deaths Certificate for Disposal or the Coroners Order for Burial or the Registrar of Births and Deaths Certificate of Stillbirth or the Certificate of Delivery of Previabie foetus or the Certificate of Cremation, as appropriate, must be delivered to the Clerk at least 1 working day before the burial takes place.

3. Burials

3.1 The Council will allocate the location of each burial plot.

3.2 Adult graves must not exceed nine feet (2.75m) x four feet (1.2m).

3.3 A Contractor is engaged to dig graves. The Council does not permit other grave diggers to work in the Cemetery.

3.4 Adult graves shall be dug to a minimum initial depth of six feet six inches (2m) where ground conditions allow.

3.5 A body shall be buried in such a manner that no part of the coffin shall be less than 61cms (2 feet) below the surrounding ground level.

3.6 The grave shall be backfilled level with surrounding ground level immediately after any burial and the surface turfed. No coffin shall be left exposed overnight. Representatives of the deceased may at their own risk backfill the grave after an interment, but must strictly adhere to the instructions of the Council's representative who is in attendance. The grave shoring must remain in place.

3.7 All bodies brought for burial shall be enclosed in a manner, approved by the Council, which will not cause offence to the public or endanger public health.

3.8 Cremated remains must not be strewn over any part of the cemetery.

3.9 No body or cremated remains may be disturbed or removed without producing to the Council the faculty and/or licence required by law.

3.10 Floral tributes may be removed two weeks after the burial has taken place (earlier if they become unsightly) or at the request of the grave owner or executor. The Council will not be responsible for the safekeeping of anything placed on the grave.

3.11 The applicant for burial shall be responsible at his/her own expense for the removal of any memorial prior to a grave being opened.

4. Purchased Graves/Exclusive Rights

4.1 The purchase of exclusive rights does not include the choice of position and will be awarded the next available plot in line.

4.2 The grave owner's consent in writing (if it is not the owner who is to be buried) must be given before the grave is opened.

4.3 The applicant for burial shall be responsible at his/her own expense for the removal of any memorial prior to a grave being opened.

4.4 The grant of Exclusive Right of Burial issued by the Council shall be produced to and left at the Clerk together with the Notice of Burial whenever the grave is to be opened.

4.5 Where the grant of Exclusive Right of Burial is not available the applicant for burial shall indemnify the Council in writing against any future claim which may be brought against the Council for permitting the use of the grave.

4.6 The grave owner may in his/her lifetime bequeath or transfer the Exclusive Right of Burial to some other person on payment of the appropriate fee to the Council.

4.7 In the event that there is no clear evidence of any bequest or transfer, the applicant for burial of the grave owner will be recorded as the person who now has future rights to the grave which will be granted on payment of the appropriate fee to the Council.

4.8 The Council reserves the right at all times to take over the maintenance of the grave without giving prior notice to the grave owner, where it has been determined that the grave owner has not suitably maintained the grave.

5. Transfer of Grants

5.1 A transfer of grants of Exclusive Right of Burial will not be recognised by the Council until the Council records have been updated and the appropriate fee paid. Once the transfer has been made an Exclusive Right of Burial will be issued in the new owner's name.

6. Grave surface and Memorials

6.1 The surface of the cemetery shall be kept, as far as possible, level and free of grass mounds. The Council may level any mound at its discretion at any time more than six months after the last interment in the grave. All graves shall be grassed and kept flat and level with adjoining ground and no gardens on grave spaces shall be permitted.

6.2 The Council may set aside parts of the cemetery within which specific memorial types will not be allowed.

6.3 i) Two vases are allowed at the head on any one grave. No other adornments or perishable items such as shrubs or trees, artificial flowers, wooden fencing, concrete or other kerbing, wire fencing, windmills, raised or sunken footstones, solar lights, wind chimes, balloons, items made of tin/plastic/glass/brick or any other similar items as determined by the Council are allowed. The Council may remove any adornments without notice if deemed unsuitable. If a memorial is required on the grave then the grave must be purchased at the current fee.

ii) For the first 6 months from the date of burial a temporary memorial [wooden cross 18" (45cms) x 30" (76cms)] will be permitted within the head area of the grave after which it will be removed. If at any time items become unsafe, broken or unsightly they will be removed by the Council.

6.4 The Council recommends that the grave owner takes out an "all risk" insurance policy against loss or damage including public liability. The Council shall not be held responsible for the safe keeping of memorials, nor for any damage caused to the memorials by winds, storms, inclement weather, vandalism or other factors outside the control of the Council.

7. Installation of Memorials

7.1 All memorials shall be secured to withstand a measured force of 35kg at all times without falling or moving. Fixing in accordance with the NAMM Code of Working Practice should meet this requirement.

7.2 The Stonemason is responsible for the workmanship and material, including stability of the memorial, to the purchaser, and must provide evidence to the Council of a public liability insurance policy in the sum of £5,000,000 before any permit will be issued by the Council.

7.3 The name of the monumental firm supplying and erecting the memorial may be cut in lettering not exceeding five-eighths inch (15mm) on the reverse or side of the memorial.

7.4 Erection of memorials is only permitted during working days.

7.5 At least one working days' notice must be given to the Clerk of the intention to erect, or re-erect, a memorial and the approval must be produced, if requested, on arrival at the cemetery.

7.6 A monumental mason wishing to carry out any work whatsoever on a memorial shall inform the Clerk one working day before the work is carried out.

7.7 The Council reserves the right to remove from any grave without notice any item erected without the written consent of the Council or any other item considered by the Council to be a safety hazard or which impedes access or the

carrying out of maintenance. The Council may recover any costs incurred from the grave owner and may refuse to permit the opening of any grave or the erection of a memorial until all costs incurred have been recovered.

7.8 Where an inscription or design has been cut without approval of the Council the grave owner shall cause the inscription or design to be erased, in a proper and workmanlike manner and so that the appearance of the memorial is not impaired, at his/her own expense on being ordered in writing to the registered address of the grave owner to do so by the Council.

7.9 All memorials and vases shall be maintained in a clean and tidy manner, and in a good and safe condition at all times and at the expense of the grave owner. The Council will take such action as deemed necessary to render safe any memorial which in the Council's opinion is a hazard, and any costs incurred by such action may be recovered from the grave owner.

7.10 The Council reserves the right to direct the grave owner to carry out any work to prevent encroachment of any kind on a neighbouring grave, and any costs incurred by such action may be recovered from the grave owner.

7.11 Subject to the provisions of these regulations, memorials must be of a hard-natural stone or granite of a design approved by the Council.

7.12 Memorials must conform to the following dimensions: -

i. Headstones

Maximum Height from ground level 3ft (0.91m) maximum base width 2'6"

Headstones should be set with the top of the foundation stone level with the surrounding ground

Foundation stones, must fit within the curtilage of the width of the memorial.

ii. Memorials for Cremated Remains must not exceed:

Desk type tablet 18ins (0.46m) square with a maximum of 4ins (0.1m) high

Maximum dimension of foundation stone 24 inches (0.61m) x 24 inches (0.61m).

The top of the foundation stone to be level with the surrounding ground.

7.13 All temporary markers should be removed as soon as permanent memorials are sited.

8. Inspection of memorials

8.1 The Council will periodically inspect all memorials. If any memorial is found to be in an unsafe condition, the Council will make it safe, which may mean laying the memorial flat or take such other remedial action to remove the danger as the Council thinks fit.

8.2 The Council will take all reasonable steps to contact the grave owner before taking such action.

8.3 Memorial owners shall be responsible for the cost of repairing or re-installing memorials which have been laid down. Whilst the Council will endeavour to notify grave owners of unsafe memorials, if the grave owner does not repair the memorial or fails to contact the Council about the repair within the requested time for action to be taken, then the Council may remove the memorial.

8.4 Where necessary action has been taken in regard to any unsafe memorials and the costs of repair or removal has been borne by the Council, such costs may be recovered from the Memorial owner or subsequent claimants to the Exclusive Right of Burial, should they become known to the Council.

8.5 The Council reserves the right of passage over all graves and, where such course is necessary, temporarily to cover or remove without notice the memorial on any grave in order to permit the re-opening of another grave in the vicinity, or for any other purpose.

8.6 In order to allow the ground to settle, no headstone should be erected until a period of at least six months from the date of burial has elapsed.

9. Cremated Remains Section

The Cremated Remains Section is set aside for the burial of cremated remains where a full-size grave is not required.

9.1 Permitted sizes of tablets are given in 7.12ii.

9.2 There will not be any surrounds, kerbing, gravel or edging of any type. There must not be any planting or other adornments or items.

10. Receptacles for Flowers

10.1 No other adornments, such as shrubs or trees, wooden fencing, concrete or other kerbing, wire fencing, windmills, raised or sunken footstones, solar lights, wind chimes, balloons, items made of tin/plastic/glass/brick or other similar temporary items, as decided by the Council are allowed. For the first 12 months from the date of the burial temporary memorials will be permitted within the head area of the grave, but these will be removed after the expiration of the 12-month period. Any items that are unsafe, broken or have become unsightly will be removed by the Council

10.2 Flower containers shall be made of stone, metal or resin which will not shatter. Glass or plastic containers shall not be used as flower receptacles on any grave.

10.3 In the interest of safety of its employees and the public the Council may remove without notice anything not complying with this regulation.

11. Funerals

11.1 The Council may exclude from the cemetery any person who is causing a disturbance or acting in a manner likely to cause distress to mourners or other visitors.

11.2 An Extraordinary Funeral Procession may enter the cemetery only with the Council's permission.

11.3 Parties having charge of a military funeral or a funeral procession connected with a society or a public body are required to make such arrangements with the Council so as to ensure the protection of the cemetery from damage.

12. Registers and Plans of the Burial Grounds

12.1 Registers of all burials and plans of the cemeteries will be kept by the Parish Clerk.

12.2 A charge may be levied for the Council making searches in, and providing certified copies of entries in any Register.

13. Miscellaneous

13.1 Cycles may not be ridden in the cemetery.

13.2 A person shall not enter or leave or seek to enter or leave the cemetery otherwise than through one of the gates or entrances constructed and provided for that purpose.

13.3 A person shall not sell, or offer for sale in the cemetery anything of any kind whatsoever without the written consent of the Council.

13.4 A person shall not solicit any orders or distribute any circular, bill or article of the like nature within the cemetery without the written consent of the Council.

13.5 A table of fees and charges can be obtained from the Shipdham Parish Council, Website www.shipdham.org

13.6 No person shall drop, throw or otherwise deposit and leave in the cemeteries any litter, wastepaper or refuse of any kind except in the litter bins provided.

13.7 No Council employee shall demand or receive any gratuities.

13.8 No body or cremated remains may be removed from a grave without the written and signed consent of the registered owner of the Exclusive Right of Burial for that grave, together with all statutory documentation. It will be the

responsibility of the person requiring the exhumation to pay all fees for such requirements.

13.9 The bins in the cemetery are only to be used for the disposal of floral tributes removed from graves or by members of Shipdham Parish Council or their agents to dispose of waste from the cemetery.

13.10 The Council will ensure, as far as possible, funeral rites, customs and practises of all faiths can be accommodated.

14.1 The Council may apply such conditions as it considers necessary or desirable to any consent it may grant for the placing of an item in the cemetery and reserves the right to remove any item placed in the cemetery without its express consent.

14.2 These regulations are to be read in conjunction with the Local Authorities' Cemeteries Order 1977 as amended by the Local Authorities' Cemeteries (Amendment) Order 1986.

15. Offences in Cemeteries

15.1 No person in the Cemetery shall behave in a noisy, disorderly, or unseemly manner, consume alcohol, gamble, hold any picnic or barbeque, sunbathe or play any game, use improper or indecent language, trespass on any portion of the Cemetery, damage, destroy or touch any tree, shrub, plant, headstone, monument, memorial, grave or any other property within the Cemetery, or obstruct any officer of the Council in the execution of its duty. All persons shall conduct themselves in a decent, quiet and orderly manner and are reminded of the provisions of the Local Authorities Cemeteries' Order 1977 article 18(1) whereby no person shall:

- a) Wilfully create any disturbance in a cemetery
- b) Commit any nuisance in a cemetery
- c) Wilfully interfere with any burial taking place in a cemetery
- d) Wilfully interfere with any grave or vault, any memorial or anything on any such grave
- e) Play at any game or sport in a cemetery

Note: Under article 10 of the Local Authorities Cemeteries' Order 1977, any person who contravenes article 17 shall be liable on summary conviction to a fine not exceeding £100 and in the case of a continuing offence to a fine not exceeding £10 for each day during which the offence continues after conviction.

15.2 NO DOGS ARE ALLOWED IN THE CEMETERY WHATSOEVER EXCEPT ASSISTANCE DOGS WHICH MUST REMAIN ON A LEAD AT ALL TIMES.

Privacy Notice

The information you provide (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible to contact you and to respond to your correspondence, provide information, send invoices and receipts relating to your burial plot/s. Your personal information will not be shared with any third party without your prior consent.

The Councils Right to Process Information

GDPR Article 6 (1) (a) (b) and (c) (Data Protection Act 2018)

Processing is with consent of the data subject

or

Processing is necessary for compliance with a legal obligation

or

Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract

Information Security

Shipdham Parish Council cares to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and relevant policies.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted.

Your Rights

Access to Information

You have the right to request access to the information we have on you. You can do this by contacting our Data Information Officer: clerk.shipdham@btconnect.com

Information Correction

If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact: clerk.shipdham@btconnect.com

Information Deletion

If you wish Shipdham Parish Council to delete the information about you, please contact: clerk.shipdham@btconnect.com

Please note:

Shipdham Parish Council has a legal obligation to retain the personal details of owners of Exclusive Rights and Registrar consent for burial. This also includes cemetery information detailing the names of those buried or to be buried in the future within its burial grounds.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact clerk.shipdham@btconnect.com

Rights Related to Automated Decision Making and Profiling

Shipdham Parish Council does not use automated decision making or profiling of personal data.

To Sum Up

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We constantly review our Privacy Policies to keep it up to date in protecting your data.

Complaints

If you have a complaint regarding the way your personal data has been processed you may make a complaint to Shipdham Parish Council Data Information Officer: clerk.shipdham@btconnect.com and the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113
Add GDPR statement.