

## Walton on the Wolds Burial Ground Regulations

[www.waltononthewoldspc.gov.uk](http://www.waltononthewoldspc.gov.uk)

These Regulations are made by Walton on the Wolds Parish Council as the Burial Authority for Walton on the Wolds Burial Ground, Loughborough Road, Walton on the Wolds.

Walton on the Wolds Burial Ground is controlled and administered by Walton on the Wolds Parish Council under the Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970 s1 and the Local Government Act 1972 s214, and in accordance with the Local Authorities' Cemeteries Order 1977. All burials and interments must comply with the current legislation.

Walton on the Wolds Burial Ground is divided into six sections, comprising 92 burial plots and 96 ashes plots. A plan of the Burial Ground, and information regarding the location of any specific plot, can be requested from the Clerk.

Walton on the Wolds Parish Council recognise that the issues of burials, interments, and the decoration of individual plots are very personal and sensitive. These Regulations are designed to preserve the integrity and appearance of the Burial Ground for everyone's appreciation, now and in the future. If there is any doubt whatsoever about the suitability of any item to be placed on a burial or ashes plot or memorial please contact the Clerk to the Parish Council for guidance. Decorations must not impede safe access to other areas of the burial ground or preclude maintenance of the ground.

### 1. Visiting the Burial Ground

- 1.1 Everyone is welcome to visit the Burial Ground, but we ask that all visitors treat the Burial Ground with respect by: conducting themselves in a decent, quiet and orderly manner; not interfering with any burial or cremated remains plots, or with any burial taking place; no playing of games or sports; not taking alcohol or illegal substances into the Burial Ground at any time.
- 1.2 No person shall wilfully interfere with any burial taking place, or any grave, memorial, flowers or plants.
- 1.3 Dogs are permitted to visit but must be on leads at all times. Any dog waste must be removed from the Burial Ground by the owner. Dog waste bins can be found in the village centre. It is not permitted to use the Parish Council's bin for this purpose.
- 1.4 The use of motorcycles, cycles, skateboards, roller blades, roller skates, mechanical or electric scooters, and other vehicles is not allowed in the Burial Ground (mobility scooters are excepted from this requirement). The only vehicles permitted to park in the Burial Ground are those belonging to the gravediggers, funeral director, or those carrying out essential maintenance to the grounds on behalf of and with the prior agreement of the Parish Council.

- 1.5 No person shall drop, throw, or otherwise deposit and leave in the Burial Ground any wastepaper or refuse of any kind except in the bins provided for the purpose.
- 1.6 The use of lawnmowers, strimmers, hedge trimmers, or similar machinery is permitted only by volunteers or contractors working for Walton on the Wolds Parish Council and with their prior consent.

## **2. Exclusive Right of Burial**

2.1 Grants by the Council of Exclusive Rights of Burial in grave spaces or ashes plots in the Burial Ground provide the owner of the Grant the right:

- i. To be buried in that grave space or ashes plot.
- ii. To authorise other burials in that grave (where space is available), or the interment of cremated remains in that grave or ashes plot, subject to its being contained in a casket/plastic cylinder.
- iii. To erect or place a memorial on that grave space or ashes plot subject to the current Regulations of the Council relating to memorials.
- iv. To have additional inscriptions placed on a memorial subject to the Regulations of the Council relating to this matter.

**Please note that possession of the Grant does not provide ownership of the actual land but only the right to perform the acts set out in this clause (2.1)**

2.2 Grants of Exclusive Rights of Burial are made subject to the following **terms and conditions**:

- i. The position of the grave space or ashes plot shall be agreed with the Council.
- ii. Scattering of cremated remains upon the grave space, to which the Grant refers, will not be allowed at any time.
- iii. A Grant will be issued by the Parish Council on payment of the appropriate fee (contained within the table of Burial Ground fees).
- iv. If the owner of the Grant dies, it is assumed that they gave permission to have him or herself interred in the grave or ashes plot.
- v. The plot may be used for a period of **100 years only** and at the expiry of that period, all the rights of the grantee (i.e. the person purchasing the rights of burial) will cease. Under no circumstances will any Grant be made for periods exceeding 100 years.

- vi. If any dispute shall arise as to the date of expiry of the Grant, such date shall be ascertained by reference to records kept by the Council, and the date shown in these records shall be final and conclusive and binding upon any person.
- vii. At the end of the said period of 100 years, the right to use the plot shall cease and any person interested may, before the expiry of the said period, give notice in writing to the Council that he/she wishes to retain any memorial erected or placed upon the plot. If no such notice is given or if, after notice has been given, the memorial is not within one month from the expiry of the period of 100 years removed at the expense of the person giving notice, the memorial may be removed by the Council and disposed of in such a manner as the Council shall choose, and proof of the posting of the said notice shall not be deemed to be proof of a receipt thereof by the Council.
- viii. The Grant signed on behalf of the Council is accepted as evidence of the grantee's title to the aforementioned rights of burial.
- ix. The Grant will be subject to, in addition to these Regulations, any order that the Secretary of State may, from time to time, make in respect of the management of cemeteries by burial authorities, the Council's table of fees, and any regulations in force for the time being respecting the Cemetery, or the portion thereof in which the plot, which is the subject of the Grant, is situated.
- x. The re-assignment of Exclusive Rights of Burial will only be accepted on receipt of an appropriate, and original, legal arrangement.
- xi. Exclusive rights may be surrendered at any time, without refund of the purchase fee, on return of the Deed of Grant to the Parish Council Clerk. If the owner of a Right fails to notify the Parish Council of a change of address and cannot be contacted following the Council's reasonable efforts, the Deed will be deemed to have been surrendered. Before terminating the Deed, the Parish Clerk will write to the last known address of the owner of the Right. If no reply is received within eight weeks of the date of the letter, the Parish Clerk will contact any known relatives who are then resident in the Parish to ask them to contact the owner of the Right of Burial.

### **3. Burials and Burial Plots**

- 3.1 Immediately after a burial, the soil will be mounded over the burial plot to allow for settlement. This process can take up to 12 months. A temporary marker will normally be placed on new graves by the funeral director stating the name of

the deceased. Due to the time that settlement can take, it is recommended that families wait at least 12 months before seeking to install a memorial stone on burial plots.

- 3.2 Following a burial, families are permitted to personalise the mounded area with temporary vases (not glass) and other decorative items, (other than those on the prohibited list, regulation 6). These temporary items must not extend beyond the grave space or prohibit the safe access of all other graves and areas of the Burial Ground.
- 3.3 Maintenance of the plot must be undertaken by the family. If the area becomes dilapidated or untended, and is, in the Council's view, a hazard to other users of the Burial Ground, the Council reserves the right to remove any items. All efforts will be made to contact families prior to such removals. Where appropriate, items will be removed for collection by the family, but the Council cannot be held responsible for their safe-keeping.
- 3.4 Selection of burial spaces requires the approval of the Council in all cases.
- 3.5 At least 72 hours' notice (excluding weekends and public holidays) is needed for all burials, and must be submitted in writing to the Clerk. An email request is acceptable.
- 3.6 A Certificate of Disposal, issued by the Council of Births and Deaths or a Coroner's Order must be delivered to the Clerk before an interment can proceed. In the absence of the Clerk, this may be delivered to a member of the Council.
- 3.7 All graves must be prepared by persons approved by the Council.
- 3.8. Where more than one burial takes place in a grave there shall be a layer of earth of not less than 15cm (6 inches) in thickness, plus the thickness of the coffin board, between each coffin.
- 3.9. Coffins should be made of wood or other perishable material, and must comply with any conditions that may, from time to time, be required by the Council, including, but not limited to, such health and safety requirements as the Council sees fit.
- 3.10. Where any grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein, or remove there from, any soil that is contaminated.
- 3.11. Following interment, no body or cremated remains may be removed from a grave without the production of the ecclesiastical faculty and/or licence for exhumation required by law. The original documents will be required for this purpose.

- 3.12. Where any burial plot is opened for the interment of cremated ashes no person shall disturb any human remains interred therein or remove any contaminated soil.

#### **4. Interments of Ashes**

- 4.1 All interments of cremated remains (ashes) require the prior approval of the Parish Council. Requests must be sent in writing to the Clerk. An email request is acceptable.
- 4.2 The selection of ashes plots must be done in consultation of the Clerk.
- 4.3 Ashes may not be scattered in the Burial Ground, only interred in designated and pre-dug plots.
- 4.4 All ashes plots must be prepared by persons approved by the Council.
- 4.5 A certificate for burial purposes, issued by the Cremation Authority, is required for all interments of ashes.
- 4.6 Following interment, no ashes may be removed without the production of the ecclesiastical faculty and/or licence for exhumation required by law.

#### **5. Memorials**

- 5.1 No memorial shall be placed in Walton on the Wolds Burial Ground without the prior written consent of the Parish Council. A Memorial Application Form should be submitted to the Clerk to the Council in the first instance, for consideration at the next meeting of the Parish Council. This form is available on the Council's website.
- 5.2 Any memorial placed or erected on the plot shall be of such dimensions as the Council shall approve and may bear a suitable inscription provided that such inscription is not, in the opinion of the Council, libelous, scandalous, or likely to cause offence to any person or body of persons.
- 5.3 All memorials must be fixed/installed to BS8415 standard.
- 5.4 All spoils must be removed from the site following installation.
- 5.5 Consent includes a condition for the memorial to be maintained. All gravestones, memorials and vases of any description are to be kept in good repair by the owners, and if not repaired after due notice, may be removed, or repaired with costs being recharged to the owners, by order of the Burial Authority. Consent granted under regulation 10 of the Local Authorities Cemeteries Order 1977, constitutes a legal right which passes to the heirs of the person to whom it was originally granted.

- 5.6 Memorials remain the property of the deed holder. The Parish Council is not liable for damage, however caused, and it is the deed holder's responsibility to maintain the memorial to current health and safety standards.
- 5.7 Any unauthorised memorials, including grave surrounds, are subject to removal by the Council without notice and the cost of removal and disposal shall be charged to the owner of the Right of Burial or other responsible person.

## **6. Flowers, plants and decorative items**

- 6.1 **No plants are allowed to be planted into the ground at Walton on the Wolds Burial Ground.**
- 6.2 Only removable pots with plants/flowers are allowed on the graves/plots/Garden of Remembrance.
- 6.3 Cut flowers may be placed in a suitable container at the head of the grave. Dead flowers and rubbish should be placed in the bin provided in the Burial Ground. The Parish Council reserve the right to remove dead flowers from memorial stones.
- 6.4 All Christmas wreaths should be removed from the Burial Ground at the start of January. The Parish Council reserves the right to dispose of any wreaths not removed from plots by the 7<sup>th</sup> of January.
- 6.5 The following items are **not permitted at any time**: glass items, including bottles; tins, including beer cans, windchimes; lighting, including solar lighting; fencing; stones and chippings.

## **7 Fees and Charges**

- 7.1 A list of Burial Ground fees and charges due to the Parish Council in respect of burials, interments and memorials is shown on the Parish Council website or can be obtained by application to the Clerk.
- 7.2 All payments are due in advance of any burials, interments, or erection of memorials.
- 7.3 The Parish Council will review all fees on a regular basis and reserves the right to adjust these after periodic review.

**These Rules and Regulations were made by Walton on the Wolds Parish Council and agreed at the Walton on the Wolds Parish Council meeting held on 2<sup>nd</sup> September 2024.**

Review date for these regulations will be December 2025.