



# LEYBURN TOWN COUNCIL

## Market and Burial Authority

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### LEYBURN TOWN COUNCIL CEMETERY MANAGEMENT POLICY

#### **1. Purpose and Scope of the policy**

The primary aim for developing this policy is as a working document designed to aid the efficiency and effective management of Leyburn Cemetery. The Policy should be read by anyone with an interest in the Cemetery including the Stakeholders and users.

Leyburn Cemetery is managed in pursuance of the Local Authorities Cemeteries Order 1977. Leyburn Town Council strives to maintain the cemetery to its present high standard and looks for your help in achieving this aim.

#### **2. Access, Entrances and Parking**

Two entrance points are contained within the Cemetery with the main entrance at the western perimeter, off Wensley Road.

#### **3. Prices and Charges**

The Council may establish or amend by resolution the fees charged for any service within the Cemetery without notice. The current fees are detailed on the Leyburn Town Council website and the notice board in the Cemetery.

#### **4. Rules and regulations**

- 4.1 No burial shall take place, no cremated remains shall be scattered, and no Gravestone or other memorial shall be placed in the Cemetery, and no additional inscription shall be made on a Gravestone or other memorial, without the permission of the Officer\* appointed for that purpose by the Town Council, which is the Burial Authority. No person shall:
- 4.2 Willfully create any disturbance in the Cemetery.
- 4.3 Commit any nuisance in the Cemetery.
- 4.4 Willfully interfere with any grave or vault, any headstone or other memorial, or any flower or plants on any such matter or,



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- 4.5 Play any games or sport in the Cemetery
- 4.6 Dogs must always be kept on a short lead in the Cemetery.

### 5. Burials

- 5.1. The Clerk, who will verify which plot is available, should be given as much notice as possible of an interment.
- 5.2. A Transfer of Exclusive Rights of Burial should be completed after the funeral if the registered owner of the grave is the deceased.
- 5.3. A Deed of Grant if available, along with Green Disposal Form 9 or Coroners Burial Order must be legally produced on the day or as soon as possible after the interment.
- 5.4. The Interment Form must include the depth of the grave, overall dimensions of the coffin or casket, and state whether it is a new or old grave.
- 5.5. Interments may take place at a weekend by prior arrangement.
- 5.6. All applications for headstones, inscriptions, materials and colours must have the signed approval of the Town Clerk, prior to installation.
- 5.7. Additional changes and alterations to inscriptions require the signed approval of the Town Clerk.
- 5.8. The Council reserves the right to refuse a burial where the required documentation is not provided.
- 5.9. All reserved graves will incur Interment Fees. Interment Fees will be reviewed on an annual basis by Leyburn Town Council.
- 5.10. Green Burials are permitted in the Cemetery.

### 6. Ashes

- 6.1. There will be no un-authorized scattering of ashes in any part of the Cemetery or Garden of Remembrance.

### 7. Graves

- 7.1. The total grave space allowed will be 2.4 metres by 1.2 metres centered. There should be no kerbs, railings, fences, pebbles, shingle or gravel, as these cause problems when grass cutting. If the family wishes they can put in a request to the Council to consider permitting the above.



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7.2. No body shall be buried in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave.

### 8. **Planted graves**

8.1. Only vases incorporated in the headstone or plinth should be used. Other containers may be removed.

8.2. It is preferred that graves are not planted. However, the following rules must apply if planting takes place.

8.3. No shrubs should be planted.

8.4. All plants should be low growing to 30cms maximum in height.

8.5. If a grave is to be covered with plants the area which can be planted to be no more than 60cm by 1.8m (centered) including the headstone.

8.6. Any grave that has been planted must be well maintained. If any grave is not maintained for a summer season, Leyburn Town Council will seed or turf the plot.

### 9. **Grave digging**

9.1. Only trained grave diggers will be allowed to dig a grave in the Cemetery.

9.2. Grave diggers should provide a written risk assessment and method statement.

9.3. All graves must be dug centrally within the respective grave space to the exact dimensions indicated. Care should be taken so as not to disturb neighbouring graves.

9.4. All unattended graves must be completely boarded over in such a manner as to prevent any person falling into the grave.

9.5. In order to prevent a trip hazard all finished graves must be prepared using imitation grass matting, which must be laid out neatly on staging leaving no folds or gaps.

9.6. A suitable platform e.g. walkboard or staging, must be laid along the length of the grave and supported at each end. The platform must be capable of carrying the weight of the Pall Bearers and coffin.



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### **10. Funeral Directors**

10.1 Funeral Directors will be requested to provide their risk assessments, safe systems of work and staff training information together with a copy of their public liability insurance certificates.

### **11. Exclusive Rights**

11.1. Exclusive Rights will be granted for a period of 100 years from the date of purchase.

11.2. Exclusive Rights may be renewed for a further term towards the end of the lease, but any further term may not exceed 99 years.

11.3. Where any (perpetual) rights (of burial or right to erect a memorial) have not been exercised the burial authority may at any time after the expiration of 75 years beginning with the first day on which any such rights were granted, serve notice on the owner of the rights of their liability to determination (unless within 6 months the owner objects).

### **12. Memorials**

12.1. Before the installation of any memorial, gravestone, tablet, and inscription the plot owner or monumental mason must complete a Memorial Permit Application Form and produce the Deed of Grant if available along with identification or complete a transfer of ownership form.

12.2. Headstones should not be erected until 6 months have passed after the burial. This allows the ground to settle. Should be installed upright, in straight line, and be no more than 1 metre high including the base.

12.3. Photographs are permitted on headstones but approval for the size and design of the photograph must be obtained in the first instance from the Town Council. Cameo photographs should be no larger than 4.5" tall.

12.4. All memorials must be installed by a BRAMM accredited company/fixer. All memorials must be installed in accordance with British Standard 8415 and current industry standards in compliance with the BRAMM approved fixing method.

12.5. The Town Council is responsible for memorial safety and security and therefore all masons who carry out work in the Cemetery must be registered with BRAMM.



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- 12.6. The Town Council reserves the right to refuse the installation of any memorial where the memorial mason cannot prove that the memorial will conform to the required British Standard 8415.
- 12.7. The Town Council reserves the right to remove any hazardous memorials.
- 12.8. The Town Council may temporarily remove fixed memorials without prior notice to allow a nearby grave to be safely dug in preparation for use.

### **13. Memorial Seating**

- 13.1. Anyone wishing to install a memorial seat in the Cemetery must apply in writing to the Town Clerk. Full details of the seat must be submitted with the application.
- 13.2. All applications will be considered by the Town Council and the Council reserves the right to refuse an application. The Council's decision is final.
- 13.3. No seat may be installed without the permission of the Council.
- 13.4. All seats and their location must be approved by the Cemetery Committee prior to installation.
- 13.5. All seats must be suitably robust and of good quality and standard. The Council reserves the right to refuse the installation of a seat deemed to be of an inferior quality.
- 13.6. Once installed all seats remain the property of the applicants and applicants are responsible for the ongoing maintenance.
- 13.7. The Council reserves the right to re-locate any seat.
- 13.8. The Council reserves the right to remove any seat if it considers it to be beyond a state of repair.

### **14. Cemetery Maintenance**

- 14.1. Leyburn Town Council reserves the right to remove any deteriorating grave decorations.
- 14.2. Leyburn Town Council reserves the right to carry out any maintenance necessary to ensure that the cemetery is kept in good condition. This may from time to time mean that the surface of a grave is disturbed. Any disturbance will be rectified as quickly as possible.



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- 14.3. All contractors working for the Council must supply evidence of public liability insurance and Risk Assessments which should be provided in advance of the contract being signed and will form part of the contract.
- 14.4. The Contractor will be responsible for providing employee liability insurance and also Public Liability Insurance.
- 14.5. The Contractor will prepare and keep up to date Risk Assessments for the work and also prepare a method statement for each element of the work.
- 14.6. The Contractor agrees to indemnify the Council from and against any and all liability loss, damage and expense which the Council may suffer or for which the Council may be held liable by reason or injury (including death) or damage to any property arising out of negligence or willful acts on behalf of the Contractor or any of his Employees.
- 14.7. No person shall be allowed to carry out any work in the cemetery without the permission of the Town Council.
- 14.8. All visitors must use the receptacles provided to deposit rubbish.

### **15. Health and safety**

- 15.1. Regular health and safety checks and risk assessment will be carried out in accordance with the Council's Cemetery Risk Management Policy.
- 15.2. All headstones will be regularly Safety tested, every 5 years, by a topple testing machine to ensure stability. Any which are found to be unstable will be laid down and the family will be notified.
- 15.3. When visiting the cemetery all Council employees and Town Councillors will have regard to health and safety in the cemetery at all times.

### **16. Exhumation**

- 17.1 It is an offence to exhume any human remains or cremated remains without first obtaining the necessary lawful permission
- 17.2 On receipt of lawful permission to exhume the body of a deceased person the Burial Authority, being Leyburn Town Council, will notify the Environmental Health Officer so that he can be present at the exhumation site.
- 17.3 The Officer in charge of burials will oversee the exhumation and re-burial, or removal of the deceased. The Officer will also ensure that:



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- the correct grave is re-opened
- the exhumation commences as early as possible in the morning to ensure maximum privacy
- the grave is screened as appropriate for privacy
- Health and safety of all workers is maintained, for example the use of protective clothing including masks and gloves, task lights and all other necessary equipment
- Everyone present shows due respect to the deceased person and to adjoining grave sites
- The new coffin or casket has been approved by the Environmental Health Officer
- All human remains and all the pieces of the original coffin or casket are placed in the new coffin or casket
- The new coffin or casket is properly sealed and identified
- The area of the exhumation is properly disinfected
- Satisfactory arrangements are in place for the onward transmission of the remains
- If the conditions of the license or faculty cannot be met, or there are public health or decency concerns, the exhumation will not be proceeded with

**The Town Clerk\* is the Officer appointed by the Town Council to ensure that the cemetery is properly managed within the law and that this policy is adhered to. Leyburn Town Council reserves the right to review any of the above Regulations.**