

## **Burial Policies and Procedures**

### **1 Background**

Cyffylliog Community Council is a 'burial authority' as defined in the Burials Acts 1852-1906 and the Local Authorities' Cemeteries Order 1977 (SI 1977/204) and is responsible for administering burials and maintaining the 'New' Cemetery. The Home Secretary granted Cyffylliog Parish Council permission for an additional cemetery for the parish on

The Community Council is also responsible for managing and maintaining the closed graveyard within St Peters Parish Church (also known as the Ancient Churchyard). This policy and the procedures associated with it relates to the 'New' Cemetery only.

### **2 Legislation & Guidance**

Burials Acts 1852 to 1906

Open Spaces Act 1906 ss9 & 10

Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970.

Local Government Act 1972 s214

Local Authorities' Cemeteries Order 1977 (SI

1977/204) Disused Burial Grounds (Amendment) Act 1981

Guide for Burial Ground Managers - Department for Constitutional Affairs (2005)

### **3 Authority to Bury**

Before a burial takes place, authority for the burial must be produced by the applicant. This will normally consist of a certificate from the Registrar of Births and Deaths, or the coroner's burial order and a copy should be provided to the Clerk on or before the day of the Burial.

### **4 Fees**

Fees for burials, the right to erect and maintain memorials and the making of additional inscriptions are charged at the discretion of the Community Council and are reviewed annually as part of the annual budget setting process. A schedule of fees for the municipal year 2024/25 is set out at **Appendix 1**

### **5 Right of Burial Eligibility**

Any resident within the Parish of Cyffylliog can apply to be buried in the Cemetery before their death.

The executors of the estate of any person who dies while resident in the parish may also request the burial of the deceased within the

Cemetery.

Applications from the executors of deceased former residents will be considered where:

- The applicant was formerly resident but died in a hospital, care home, hospice located outside the parish boundary having previously been resident in the parish immediately before entering the aforementioned places
  - The applicant was formerly resident but died while being cared for by relatives who live outside the parish boundary having previously been resident in the parish immediately beforehand
- The Community Council may agree to a burial where the applicant was not formerly a resident however as spaces within the cemetery are limited, such requests will not normally be approved unless there are exceptional circumstances.

### **Exclusive Right of Burial**

Cyffylliog Community Council does not operate a scheme for Exclusive Right of Burial ie purchase of graves.

### **6 Burials**

All burials must be arranged through a registered Funeral Director who shall be responsible for appointing a competent person to open and close graves within the Cemetery. The person responsible for arranging this work shall provide to the Clerk, details of the competence and standing of the person undertaking the excavation work, including details of experience, insurance and method of safe excavation, noting the risk of grave collapse and risk to members of the public.

Burials shall not normally take place before 9.00 am or after 3.30 pm from Monday to Thursday, or before 9.00 am or after 2.30 pm on Fridays - Burials are not permitted on Sundays.

The Funeral Director or person(s) arranging the funeral is responsible for the provision of sufficient bearers to convey the coffin reverently from the hearse to the graveside

Only one burial will be allowed in the Cemetery at any one time.

All bodies for interment are to be contained within a sealed container such as a wooden coffin. Such containers are to bear the identity of the person contained therein. No metal or other non-biodegradable coffins, caskets or containers will be allowed.

No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet (915 mm) below the level of the ground adjoining the grave.

Graves are to be dug to accommodate a coffin 78 inches in length and up to a maximum width of 26 inches. Notice must be given if a coffin exceeds these limits and an extra fee may be payable.

If a grave is re-opened for further burial, no human remains will be disturbed and no offensive soil will be removed.

No body shall be buried in a grave unless the coffin is effectively separated from any coffin previously interred in the grave by means of a layer of earth not less than 6" (150 mm) in thickness except in the case of a multiple burial. The surface of a grave shall not be raised above the level of the immediately adjoining ground. Surplus spoil is to be removed from the Cemetery by the grave digger and no spoil is to be deposited on an adjacent grave or plot any time. Graves are to be re-turfed at the conclusion of the interment.

## **7 Headstones**

The Council will permit the erection of a simple headstone as part of the grant of an exclusive right of burial. The grave owner may seek permission to erect a headstone once the earth on a grave has settled (not before twelve months after the interment) .The dimensions and design of the headstone shall be submitted to the Council for approval in advance of installation and the person responsible for installing the headstone shall remove all rubble or spoil from the Cemetery once the work is complete.

Where a second interment takes place and a second inscription on a headstone is proposed permission shall be sought from the Council before the inscription is made. The cost of making any such inscription is included in the fee for a second interment.

The grave owner has sole responsibility for the safety of the headstone. The Council is not responsible for any repairs or damage caused by storm damage or vandalism and recommends that insurance is purchased.

In the event that a headstone deemed to be unsafe, every effort will be taken to track the grave owner or relatives. If no contact is made within one month, the council will take appropriate action. This may ultimately involve the removal of the headstone from the cemetery. The Council does not permit the installation of kerbs alongside graves as these limit the ability of the Council to undertake maintenance of the Cemetery.

## **8 Cemetery Maintenance**

Cyffylliog Community Council undertakes to maintain the surface of the grave

(if grassed), the pathways, hedges and common areas for a period not exceeding 99 years. It is the responsibility of family to maintain gravestones during this period.

Owners or their families may request the Community Council to maintain gravestones on their behalf. The Community Council is not obliged to agree to such requests however where it is agreed, the specification of works and fees associated with the same are also set out in **Appendix 1**.

## **9 Care of Graves**

The family of the deceased are normally responsible for tending graves after a burial has taken place. Care of graves shall include planting of the surface of the grave (if not grassed), placing flowers and wreaths on the grave, together with periodic cleaning and maintenance of the headstone.

Where planting of the surface of the grave is proposed deep rooted plants and trees of any species are not permitted. The Council cannot by law allow deep roots to penetrate the drainage system in the area around the caskets. The Council will be pleased to confirm whether or not any plant species is permitted.

All floral tributes and wreaths shall be removed 14 days after an interment. If you would like them to remain longer please contact the Council Clerk no later than 10 days following an interment. Christmas wreaths should be removed at the end of January each year.

The Council reserves the right to remove floral tributes and dead flowers in vases to ensure the appearance of the graveyard is maintained to a high standard. Artificial flowers that have been affected by the weather/other damage may also be removed at the discretion of the Council.

No Glass items, wires, lights or similar are permitted in the Cemetery or items deemed

inappropriate by the Council and will be removed without notice. The Council also reserves the right to remove any items that may cause a danger/obstruction to staff, equipment or visitors.

The Council provides a compost bin at the entrance of the Cemetery. This should be used for disposal of dead flowers and plants.

## **10 Notification of Burial**

Within 96 hours of a burial, the Registrar of Births and Deaths will be notified of the details of the date and place of the burial by the Clerk. The detachable portion of the Registrar's certificate ('green form') or Registrar's certificate of non-liability ('white form') or the coroner's order will be used for this purpose.

## **11 Records**

The Community Council is required to make and keep plans of all graves, vaults and grave spaces. This plan is available for public inspection on the Cyffylliog Community Council website.

A register of burials is also maintained by the Council and this is also available online at:

## **12 Graveyard Safety and Offences**

The Council will inspect and maintain all pathways within the

Cemetery but will only undertake gritting / salting of the said pathways in exceptional circumstances. Entrants to the Cemetery should note that paths are unlikely to be gritted / salted and should proceed with caution during winter months.

It is an offence to create a disturbance, commit any nuisance, interfere with any burial, interfere with a grave, play any game or sport, or enter or remaining in the cemetery when it is closed to the public. The Cemetery opening hours are 9am each day until dusk. The admission of dogs, unless on a lead, is prohibited. Dogs must not be allowed to foul within the Cemetery.

All visitors must conduct themselves in a quiet orderly manner at all times. Council representatives have the right to exclude or remove any member of the public at their discretion.

### **Appendix 1 – Schedule of Fees and Charges**

No Charge will be made for Burials or Memorials if the deceased is aged 17 years or under.

#### **Ref Description 2024-25**

1 First internment in a grave.

This includes the right to erect a simple gravestone and the initial inscription thereon

£165 (£330 if deceased is from another parish)

2 Subsequent internment in a grave for which an exclusive right of burial extends to include a second person

This includes the right to have a second inscription on the gravestone

£65 (£130 if deceased is from another parish)

3 First internment of cremated remains in a Grave,

This includes the right to erect a simple gravestone and the initial inscription thereon

£65 (£130 if deceased is from another parish)

5 Subsequent internment of cremated remains in a grave for which an exclusive right of burial is granted

This includes the right make an inscription on an existing headstone

£65 (£130 if deceased is from another parish)

6 Internment of stillborn children in the area of the Cemetery designated for such burials

No Fee

**Reviewed and adopted by Council on 27<sup>th</sup> March 2024.**