

# North Nibley Cemetery Regulations.

The Cemetery and Garden of Remembrance are owned and managed by North Nibley Parish Council & Burial Board. The Cemetery and Garden of Remembrance (from here on referred to as "The Cemetery") are available for residents of the Parish and to long term residents, who have subsequently been living in residential or care homes elsewhere. Applications will also be considered in respect of others outside of the Parish, but they will be subject to a different rate of fees.

All enquiries should be made to the Burial Clerk or the Parish Clerk, at the address below.

## 1. General

These Regulations are the general terms and conditions within which North Nibley Cemetery operates. They apply to all persons using, working or visiting the Cemetery. They are designed to ensure the safe and peaceful enjoyment of all. The Parish Council request that you observe the following procedures to ensure that the Cemetery can be a place of peace and tranquillity.

To ensure the Cemetery is maintained to a high standard regular checks are carried out by the Councillors and the Burial Clerk. Please advise the Council of any issues that you believe need addressing.

The Parish Council reserves the right to exclude or remove any persons failing to abide by these Regulations.

## 2. Hours of Opening.

Although the Cemetery is open at all times, the Council reserves the right to close the Cemetery, or limit access at any time.

Visitors must conduct themselves in a quiet and orderly manner at all times and in accordance with the requirements of the Cemeteries Order. No visitors shall climb upon or over any memorial, boundary or gate.

Dogs are not permitted with the exception of guide dogs.

## 3. Funerals

Applications to purchase plots in the Cemetery must be made to the Burial Clerk. All plots will be allocated by the Burial Clerk. Plots are set out in a grid layout, established by the Council.

No burials, services or work of any kind or description shall be undertaken or carried out within the Cemetery without obtaining the prior consent of the Council. Funerals and interments must be booked through the Burial Clerk. The Notice of Interment form must be completed in full and delivered to the Burial Clerk, prior to any burial.

The Council will maintain an up to date "Fee Schedule" which is available from the Burial Clerk and is posted on the Council web-site. Fees are payable to the Council at the time of application for a burial, or upon approval of memorial works.

The Council maintains a Burial Register, a Plan of the Cemetery and associated records. All plans and burial records are retained by the Burial Clerk and those records, not subject to Data Protection restrictions, are available for inspection free of charge by appointment with the Burial Clerk.

The Parish Council cannot be held responsible for any failure due to circumstances beyond its control.

#### **4. Maintenance of Grounds**

Maintenance of all grassed areas of all graves is the responsibility of the Parish Council and their contractors. These areas must be kept free of flowers and obstructions to enable the routine maintenance of the grass.

The Parish Council reserves the right, without notice, and after one year from the date of interment, to eliminate the mound over any grave, or otherwise to deal with a grave space if in their opinion, it is in an untidy condition.

All rubbish in the form of soil, dead plant material or any other litter is to be removed from the Cemetery.

A water tap is provided for visitors' convenience.

#### **5. Grave Ownership & Responsibilities**

The whole of North Nibley Cemetery and each grave within the Cemetery is the property of North Nibley Parish Council. The Council grants exclusive rights within each grave space so that individuals may decide who is buried in a particular grave and the details of the memorial. As in all Cemeteries the purchase of exclusive rights does not grant the purchaser any interest in the land as real property.

The exclusive rights are granted for 75 years and are subject to specific terms and conditions.

Ownership of and responsibility for the permanent maintenance of the grave and memorial, remains with the owner of the memorial and their successors in title. All memorials shall be kept in good repair for the entire period of ownership of the memorial and in default thereof the Council reserves the right to remove or to require the owners to remove such memorials.

It is the responsibility of the owner of the exclusive rights to inform North Nibley Parish Council of any change of address or intention to transfer ownership of rights.

## 6. Memorials

The Council has established a set of standard dimensions which shall apply to all memorials in the Cemetery and these will be provided in advance to all applicants and monumental masons. It remains the responsibility of the applicant and monumental mason to familiarise themselves with the dimensions, prior to submitting an application and the dimensions must not be exceeded. Kerb stones or border stones are not permitted.

All memorials must receive the Burial Board's approval before installation. This will not normally be granted within 12 months from the date of the interment. All memorials remain in the ownership and are the responsibility of the purchaser and are not covered by the Parish Council's Insurance.

Memorials must be fixed in accordance with standards set by The National Association of Memorial Masons (NAMM) or The British Register of Accredited Memorial Masons (BRAMM).

No memorial shall be altered or interfered with after it has been erected in the Cemetery according to the design submitted to and approved by the Council.

Memorials that do not conform to the Regulations, as approved by the Council, will be required to be removed. Prior to their removal a letter will be sent to the last known address of the owner of the Exclusive Right of Burial, requesting them to remove the non conforming memorial within 14 days, following which date it will be removed by the Council without further notice.

The placing of flower vases or other permanent receptacles on graves is not permitted without prior permission.

Items placed on the graves at the time of anniversary of the death, birthday, Christmas or Easter should be discreet and not obstruct the routine grass cutting of the grave

All floral tributes are left at the owners' risk. The Parish Council reserves the right to remove any neglected, unsightly, broken, dangerous or unsafe articles or materials from any grave without notice, which includes solar lights, candles, candle holders, glass bottles, balloons and any other items that are deemed detrimental to the maintenance of the Cemetery.

Planting of trees and shrubs is not permitted without prior consent of the Council.

The Council has a duty of care to ensure memorials are maintained at a high standard and all memorials are subject to regular inspections.

All memorials remain at the sole risk of the owners of the plots and the Council shall not be responsible for any damage or breakage which may occur to the same. Insurance of the Memorial is the responsibility of the purchaser.

The Parish Council reserve the right that a purchased plot may be covered temporarily during the excavation of an adjacent grave. The period during which this is necessary will be kept to a minimum. Every effort will be made to protect the existing grave, and all graves will be restored to their former condition immediately following a burial.

The Parish Council reserves the right to remove all memorials after the expiry of the relevant period of ownership. The Council also reserves the right, in every case, to remove any memorial which is considered unsafe or is in a state of disrepair.

The Parish Council reserves the right of passage over graves as circumstances require. The Parish Council does not accept responsibility for loss or accidental damage to anyone's property.

## **7. Contractors**

All work in the Cemetery must be carried out by Funeral Directors, Memorial Masons, their sub contractors or contractors operating on behalf of the Council.

Memorials may only be erected/installed by a person who is qualified by either NAMM or BRAMM and carried out in accordance with NAMM/BRAMM standards.

All contractors must have relevant Public Liability Insurance, Product Liability Insurance and Employers Liability Insurance.

Contractors or their sub contractors must comply with The Health and Safety at Work Act 1974 and carry out a risk assessment for all work undertaken.

## **8. Complaints**

Any complaints must be made in writing to the Parish Clerk at the address below.

## **9. Review of Regulations**

The Council reserves to itself the right from time to time to revise these Regulations.

**Burial Clerk, Mrs Jean Palmer**

01453 548693 [burialclerk@northnibley.org.uk](mailto:burialclerk@northnibley.org.uk)

**Clerk to the Parish Council, Elizabeth Oakley**

01453 544697 [clerk@northnibleyparishcouncil.org.uk](mailto:clerk@northnibleyparishcouncil.org.uk)

See also North Nibley Garden of Remembrance Regulations.

**These Regulations were approved and adopted by North Nibley Parish Council on Monday 14 May 2018.**