



---

**Contents**

Introduction	2
Administration	2
Admission to Cemetery	2
Exclusive Rights of Burial	2
Application for Interment	3
Memorials	4
Maintenance of Graves, Flowers and Wreaths	5
Fees and Charges	5
Damage	5
Complaints	5

## **1. Introduction**

The Groby Lane Cemetery is managed and operates in accordance with current legislation covering Burial and Cremation in England and Wales. These regulations are a necessary requirement for the management of the Newtown Linford Parish Council Cemetery. Every effort has been made to avoid restricting the rights and choices of the individual. Therefore, these regulations have been prepared with a balance between individual rights and the need to regulate for health and safety grounds.

## **2. Administration**

The Cemetery office is located at Newtown Linford Parish Council Office and is open by appointment only Monday to Friday 10am-2pm (except for UK public holidays). To book an appointment or for further information, please call 01530 249945.

Plans of the Cemetery showing the whole of the grave space therein and their respective division within the Cemetery, are kept at the Parish Office.

## **3. Admission to Cemetery**

3.1 The Groby Lane Cemetery is open daily. Newtown Linford Parish Council welcomes visitors to its Cemetery and they are asked to respect the peace, dignity and reverence of the facility

3.2 A one-way system is in place and must be adhered to at all times. The padlock code can be obtained from the Clerk. Please remember to scramble the digits upon locking.

3.3 Dogs will not be allowed on the Cemetery except on a leash and dog waste must be cleared by the owner immediately.

3.4 Motor vehicles may enter the Cemetery only if an occupier is on Cemetery business and shall only do so on the carriageway. Vehicles must not exceed 5mph and must not obstruct paths or carriageway. Newtown Linford Parish Council will not accept responsibility for loss from or damage to any vehicle or cycle brought into the Cemetery, however caused.

## **4. Exclusive Rights of Burial**

4.1 Plans of the Cemetery are deposited at the Parish Council office, where a copy of fess and every other information may be obtained upon application.

4.2 In all sections, a person may purchase and have Exclusive Right of Burial therein for one hundred years. A deed of grant will be furnished in respect of each grave purchased and the particulars thereof shall be entered in a registry book to be kept for that purpose.

4.3 Upon expiration of this term, a further grant may be obtained for a term of up to one hundred years.

4.4 Such Grant does not include the placing of a headstone but the Burial Authority will allow the placing of a stone subject to the approval of size and wording as set out in these rules.

4.5 The position in the Cemetery will not necessarily be defined at the time of purchase.

4.6 If a plot number has been allocated, the Burial Authority reserves the right to amend such number at the time of burial in the event of any unforeseen circumstances but the Burial Authority will use its best endeavours to reach a mutually acceptable alternative.

4.7 The purchase of an Exclusive Right of Burial entitles the owner the sole right to determine who is buried in the grave and whether a memorial can be erected on the grave.

4.8 A person who purchases the right of freehold in any section shall not convey, assign or transfer such right without the sanction of the Burial Authority having first been obtained.

4.9 Transfer of Exclusive Right of Burial can take place following approval by the Burial Authority and upon production of any of the following relevant original documentation:

a) Grant of Probate: Normally granted to the executors appointed in the will of the deceased person when the will has been proven in court. Only the original 'sealed' Grant will be acceptable at the Parish Office; i.e. must bear the embossed seal of the court.

b) Grant of Letters of Administration: When a deceased dies intestate (i.e.: without making a valid will) then the next of kin (or some other person with a sufficient interest) can apply to the Court to be made the Administrator of the Estate. As with Grant of Probate, the original document must be produced to the Cemetery Office bearing the embossed seal of the Court.

c) Form of assent: Normally completed by the deceased's personal representative or other holder of either the Grant of Probate or Letters of Administration when it is necessary to transfer the ownership of the grave to a family member on closure of the deceased's estate.

d) Statutory Declaration: An original document to be completed and witnessed by a Magistrate or Commissioner of Oaths. Normally used where no other official documents have been issued or applied for.

4.10 Each grave space in the Cemetery shall be approximately 8ft x 4ft and not more than 2 coffins (or 1 coffin and 2 caskets) to be interred in one grave.

4.11 The burial mounds will be levelled by the Burial Authority's maintenance contractors at the appropriate time and all graves shall be turfed or seeded over by the Burial Authority. No permanent mounds will be allowed.

## **5. Application for Interment**

5.1 No burial shall take place, no cremated remains shall be scattered and no monuments nor memorial shall be placed in the Cemetery nor shall any additional inscription be made on a memorial without the prior consent of the Burial Authority, Newtown Linford Parish Council.

5.2 All notices of interment and applications for grave spaces, shall be given or made in the first instance by telephone to the Parish Council office and subsequently, confirmed in writing. The minimum periods required for notice of interments are two working days from receipt of completed paperwork. These days' notice excludes the day of the interment, Saturdays, Sundays and UK public holidays.

5.3 All notices of interment shall be given in writing and signed by the owner of the Exclusive Right of Burial. The forms are available by contacting the Parish Council office or your Funeral Director and shall state forename, surname and age, place of death and last residence of the deceased to be buried. The particulars must be fully completed and received by the Registrar of Burials.

5.4 Where it is found necessary to alter or postpone the day or hour previously fixed for an interment, notification of the alteration or postponement must be given to the Registrar of Burials no later than 11:00hrs on the day prior to the day of interment.

5.5 Every person who buries a body in a grave space or a casket in an ashes plot, shall pay the Burial Authority an interment fee in accordance with the scale of charges fixed by the Burial Authority.

5.6 Ash plots are for two caskets which must be wooden or biodegradable and must be interred under the control of a Funeral Director of the family's choice but in the event of no Undertaker, the Burial Authority will appoint Anstey & District Funeral Services Limited.

## 6. Memorials

6.1 Memorials may not be erected until 12 months after the date of interment in the case of a full burial.

6.2 The right to erect a memorial rest with the owner of the Exclusive Rights of Burial. No work must be carried out without permission of the Council.

6.3 No headstone, monument or memorial will be allowed to be fixed upon any grave without the written authority of the owner, nor shall any additional lettering be permitted without such authority first delivered to the Registrar of Burials.

6.4 All memorials must be made of hard natural stone or granite of a design approved by the Burial Authority and conform to the dimensions outlined in 6.5. Every person wishing to erect a headstone must submit to the Registrar of Burials, a drawing showing the form and materials of the stone, together with a copy of the inscription intended for approval. Every person erecting a stone shall pay the Burial Authority an erecting fee in accordance with the scale of charges fixed by the Burial Authority. Fees are payable in advance.

6.5 Only headstones are permitted to accord with the following sizes. All headstones must be moveable.

Gravestone: 27" high, 21" wide, base 3" high, base 24" wide, 12" deep.

Headstone on Ash plot: Concrete foundation 30" wide by 18" deep. Stone 21" high x 16" wide and 3" deep. Base 24" wide x 15" deep x 3" high

6.6 If inscriptions are to include names of people buried elsewhere, this must be made clear within the chosen wording.

6.7 Where the Grant of Exclusive Right of Burial has expired, the grave space will revert to the Council and the memorial maybe removed. It is an offence to wilfully interfere with a tombstone or other memorial, or to add additional inscriptions on a memorial without the Council's authority.

6.8 Every person erecting a stone shall pay the Burial Authority an erecting fee in accordance with the scale of charges fixed by the Burial Authority. Fees are payable in advance.

6.9 Headstones are to be kept in good repair at the expense of the owner, including repairs necessary due to vandalism. In the event of any memorial falling into disrepair and the necessary repairs not being carried out within 12 months after notice from the Council, the memorial may be removed by the Council subject to and in accordance with the provisions of Schedule 3 of the Local Authorities Cemeteries Order 1977. The Parish shall make reasonable efforts to communicate with the owner by giving written notice by post to the owner at his/her last notified address when repairs are needed or by telephone call where possible. The Burial Authority accepts no responsibility for damage to memorials and owners are advised to seek adequate insurance cover.

6.10 No ornaments or decorations will be allowed without the consent of the Burial Authority. Crosses and markers placed at the time of burial which are deemed to be temporary, must be removed by the owner within one calendar year and thereafter, these will be removed by the Burial Authority.

6.11 The Council reserves the right to lower, alter or remove any gravestone or monument which, in the opinion of the Council, is unstable or unsafe. Prior to such work being undertaken, the Council will try to contact the owner and/or will also post a notice in the Cemetery for one month, advising of its intentions.

6.12 The Council reserves the right to remove anything placed on or around a grave which it feels could be a hazard or hindrance to Council contractors in carrying out their duties or to visitors to the Cemetery.

## **7. Maintenance of Graves, Flowers and Wreaths**

7.1 The area of the grave may not be interfered with by the owner of the grave or any persons on his/her behalf other than in accordance with these regulations. The registered owner is responsible for maintaining the grave space, with its memorial, in good condition and repair.

7.2 The Council shall be at liberty to remove from graves any moveable article that is broken or has become unsightly. The Council reserve to right to remove prohibited articles, deteriorated or withered wreaths and flowers without notice.

7.3 Under no circumstances may residents take powered machinery of any kind into the Cemetery. This would be in breach of Health and Safety practices and procedures.

7.4 No cultivation or planting of plants, shrubs or trees is permitted.

7.5 The Council will arrange for graves to be levelled and turfed approximately 8 months after interment.

## **8. Fees and Charges**

8.1 Fees and charges for all Cemetery services will be determined by the Council in accordance with the powers derived under Article 15 (1) of the Local Authorities' Cemeteries Order 1977. They will be reviewed bi-annually and take effect from an agreed date.

8.2 If the deceased lived in the Parish for the majority of their life but took up residence outside the Parish to receive full-time care, within 5 years of their death, resident status will be granted. The executors or other representative of the deceased must provide the Council with the relevant information for claiming resident status.

8.3 In cases where inhabitants or parishioners of Newtown Linford are hospitalised, no time limit is fixed if the person passes away.

8.4 Newtown Linford Parish Council reserve the right to make the final decision on whether to grant resident status based on the individual circumstances.

8.5 Full settlement of all fees and charges in respect of interments, must be made before the funeral date. No account facility is offered. Fees for funeral services, including fees for the officiating person, are paid separately through arrangement with the Funeral Director.

8.6 All accounts must be settled within 30 days of receipt of an invoice or before the date of interment (see 8.5). All invoices will be sent by email.

8.7 If the Exclusive Rights of Burial were purchased by a resident, who later moves away from the Parish, further fees thereafter, will be charged at non-resident rate, unless resident status can be confirmed under 8.2 of the Cemetery Regulations.

## **9. Damage**

9.1 Any person who wilfully destroys or damages any building, fence, gate, post railing, road or approach in connection with the Cemetery, any tree, shrub or plant, or defaces any stone or inscription or commits any nuisance in the Cemetery, will be prosecuted under the Cemeteries Clauses Act 1847, Sections 58 and 59.

## **10. Complaints**

10.1 Any complaints or damage should be reported to the Clerk to the Council at the earliest opportunity by telephoning 01530 249945 or by email to [clerk@newtownlinfordparishcouncil.gov.uk](mailto:clerk@newtownlinfordparishcouncil.gov.uk)