

CANNINGTON PARISH COUNCIL
CEMETERY RULES AND REGULATIONS

With effect from 1.6.24

1. Introduction

These rules and regulations apply for the existing interments within our cemetery (ie prior to 1.6.24) for those purchasing or inheriting the Exclusive Right of Burial (ERB) and the subsequent burial or interment of family members or loved ones (ie from 1.6.24). We understand that at such a distressing time, rules and regulations are far from your mind; however, they are necessary to enable the parish council to maintain the cemetery in a condition with a peace and dignity that is acceptable to all visitors and also to ensure we are legally compliant.

This information may be of assistance to you in the future, so we suggest keeping these notes with your ERB Grant for reference. Please note that the Rules and Regulations are subject to change. Changes will be notified (and dated) on our website.

www.canningtonparishcouncil@cannington.org.uk

2. Exclusive Right of Burial (ERB)

The Local Authorities' Cemeteries Order 1977 permits burial authorities to grant the exclusive right of burial in any grave to any person. Please see APPENDIX 1 for detailed information.

Briefly, the ERB which you have purchased gives you the control over the burials on the grave or ashes space for the period of 50 years (not to exceed 100 years at any one time) once the appropriate fee has been paid, and the right to erect a memorial in accordance with the rules and regulations on the grave or ashes space. The land itself remains in ownership of Cannington Parish Council as the burial authority empowered to set the regulations for the proper management of the cemetery.

3. Application for Interment

The application for interment at the cemetery must be made on the appropriate form (see APPENDIX 2) together with the completion of the ERB. Forms can either be obtained from the Cannington website as above, telephone 01278 653322 or via email to the parish council office canningtonparishcouncil@cannington.org.uk or via your undertaker.

As the parish council office is manned on a part-time basis, the application for interment form must be submitted at least 5 full working days before the interment is to take place. In exceptional circumstances the parish council will do its best to accommodate a request outside of these timescales.

With effect from 1.4.23, the parish council no longer permits the reservation of interment plots. The selection of the place of interment in all cases, is subject to the approval of the parish council but the wishes of applicants will be considered as far as possible. Burials are not permitted within 1 metre of walls and fences.

All fees are to be paid to Cannington Parish Council (normally through your undertaker, but can be direct to the parish council) submitted together with the ERB and the application for interment (see page 4 of this procedure for current fees).

The hours for interment, excluding Sundays, are 9.00am to 6.00pm daily from 1 April to 23 October, and 9.00am to 4.00pm daily from 24 October to 31 March.

4. Construction of Graves

Single and double depth graves are permitted. Requirements must be notified on the application for interment form. The plot size is normally 8' length x 4' width.

When a grave is prepared, the excavated soil is placed to the side of the grave, if there is unused land to the side of the grave then the soil will be placed there. However, when opening a grave between existing graves, we may need to place boards and soil over the adjacent grave for a short period of time, rest assured that we only do this if we cannot place boards and/or soil elsewhere. After the funeral we clean the grave and leave the area neat and tidy.

All excavation works and backfilling of graves will only be undertaken by persons approved by the parish council with responsibility discharged through the undertaker(s). However, in the event of a family wishing to backfill the grave after the service, details must be included on the original notice of interment.

Any damage done to any boundary wall, fence, path or ground, or existing headstone or memorial in digging graves is to be repaired at the expense of the person causing the damage.

- No planting of any plants, trees, shrubs or bulbs is permitted on a grave or ashes space
- No mounds or raised turf areas are permitted
- No artificial grass
- No items are permitted outside of the grave or ashes space
- No plastic flowers, solar lights (unless incorporated within the memorial by a memorial mason), lanterns, items on sticks, windmills, ornaments, candles, balloons or glass are permitted on the grave or ashes space.
- Cannington Parish Council has the right to remove from any grave any items (such as fences, ornaments or gravel) that may interfere with the ground maintenance of that area after serving notice to the registered grave owner. Any item causing immediate hazard (such as glass) will be removed immediately.
- Cannington Parish Council has the right to remove any unauthorised items left on or around a grave space. The grave space will be photographed and unauthorised items will be removed and kept for one month. The parish council will attempt to inform the registered grave owner. If items remain uncollected after one month the items will be disposed of.
- Cannington Parish Council has the right to remove and dispose of any floral tributes, plants etc that have withered or died or become unsightly on any grave. Christmas wreaths will normally be removed by the beginning of February.
- No interments shall take place without either the deed or consent in writing of the owner/applicant of the Exclusive Right of Burial.
- All interments shall take place in accordance with the statutory requirements laid out by the Local Authorities Cemeteries Order 1977 or any subsequent legislation/guidance that comes into force.

5. Information following an interment (burial and ashes)

After the burial (or ashes interment) has taken place, the floral tributes will remain on the grave (or ashes plot) for around 21 days, after which they can be removed by the family or grounds maintenance staff. After this period the grave bed should be kept clear at all times, to allow the ground to settle and for access of the ground's maintenance staff. Small floral tributes can be placed at the headend of the grave space.

The grave will be turfed or have grass seed sown, depending on season and conditions, 6-12 months after the burial has taken place. It is normal for the grave to subside during the first months after a burial as the soil settles, especially after periods of heavy rain, and grounds maintenance staff will check the graves and reinstate them as necessary.

Cannington Parish Council is not liable for any damage to, or loss of, items left on burial or ashes plots.

6. Application to introduce headstones, flat-stones, memorials and inscriptions

- a) Permission must be sought from either the Exclusive Right of Burial holder or persons responsible for the burial or ashes plot.
- b) An application to erect headstones, flat-stones, memorials or to add an inscription to an existing memorial must be made on the appropriate form (see APPENDIX 3) together with the appropriate fee either direct to the parish council or through your memorial mason.
- c) All memorials must be constructed and fixed to the requirements BS8415 by either BRAMM or NAMM registered mason. Your memorial mason will be able to advise you on the styles of memorial that can be placed in the cemetery.
- d) The memorial remains the property of the deed owner(s) and they are responsible for the maintenance and cost of keeping it in good order and safe condition.
- e) An application to introduce any of the above must include the name(s) of the deceased person(s), age(s) at the time of death, date of death and all proposed wording and designs.
- f) A drawing showing the shape, dimensions, and materials to be used in connection with an application to erect a headstone, flat-stone or memorial, must accompany any application.

- g) Any headstone or memorial must be fixed to a concrete plinth which extends (3") beyond all four sides and is at least 75mm (3") thick and is fitted flush with the ground. Flat-stones and tablets must be fitted flush with the ground. The introduction of kerbstones and a footstone is not permitted.
- h) Where a headstone is to mark the place of a burial the headstone must not be taller than 760mm (2'6") and 600mm (2') width fixed to a concrete plinth as per c) above with a maximum depth of 380mm (15").
- i) Where a headstone is to mark the place of interment of cremated remains it must not be taller than 450mm (18") and including the plinth, the maximum width must not exceed the width of the plot i.e. 600mm (2').
- j) The parish council requires a minimum of 10 days-notice to approve an application and will decide the positioning of the headstone, flat-stone or memorial in consultation with the memorial mason, for the good management of the cemetery.
- k) All materials, gravestones and memorials must be conveyed into the Cemetery by hand, or truck/vehicle with at least 100mm [4"] tyres that does not exceed the width of the tarmac path(s).
- l) After an interment all surplus earth must be removed from the Cemetery and the grave left tidy.
- m) A new headstone or memorial may not be introduced until 6 months after the interment to allow for settlement of the grave.
- n) The mounding of earth on a grave will be removed by the Council 6 months after the interment, the ground levelled and the surface left as turf. The cost of this is included in the interment fee.
- o) The parish council reserve the right to take down and remove any monument, tablet, gravestone or other erection which has fallen into decay, is dangerous, has become unsightly or which has been erected contrary to the terms and conditions upon which permission to erect the same was granted, or in the case where construction, payment or otherwise shall not have been complied with.
- p) The parish council will not be responsible for any damage to monuments, gravestones and other structures other than damage occasioned by the negligence of its employees.
- q) All monuments, gravestones, or other structures and places of burial must be kept in repair by the owner. The Council may require the owner of any monument, gravestone or other structure, which in their opinion has become unsafe, to remove it. If the owner fails to comply with any such requirement within 14 days or if in the opinion of the parish council the removal should be actioned immediately then the parish council may carry out the work without incurring any liability for any damage arising and the costs thereof shall be recoverable from the owner as a simple contract debt in any court of competent jurisdiction.
- r) Should a memorial be found unsafe at any time (which may be as a result of a memorial safety inspections undertaken every 5 years) the parish council has a legal right and obligation under the Local Authority Cemetery Order 1977, to remove any danger immediately. This is usually done by cordoning off or laying down the memorial. In circumstances where the parish council has no known deed holder(s) we will make every attempt to contact the owner(s) to inform them of the action taken giving them the opportunity to organise the repairs necessary to the memorial.

7. Fees

The fees listed in the Table of Fees (page 4) apply where the person to be interred or in respect of whom the Exclusive Right of Burial has been granted:

- a) was immediately before death or prior to going into hospital, hospice, residential home or other form of care where the death occurred, a resident of the Parish of Cannington
- b) in the case of a stillborn child one of the parents is such a resident

In all other cases **double** the fee shown in the Table of Fees will be charged

CANNINGTON CEMETERY

TABLE OF FEES

With effect from 1 June 2024

Mandatory Exclusive Right of Burial (ERB)

Application for burial plot	£150
Application for ashes plot	£80

Thereafter: -

Interments

Each interment in grave including levelling after 6 months	£270
Each Interment of ashes in an existing grave, or in the area reserved for the interment of ashes	£120

Erection of Memorials

Flatstone/Headstone (Grave)	£160
Tablet/Headstone (Ashes area)	£85
Vase/Urn	£85
Adding an additional inscription to an existing memorial	£40

The above-mentioned fees do not include any fees payable to Undertakers or Ministers officiating at any interment for which the Parish Council accepts no responsibility.

Extract from Cannington Cemetery Rules and Regulations (item 7, Fees)

The fees listed in the Table of Fees apply where the person to be interred or in respect of whom the Exclusive Right of Burial has been granted:

- a] was immediately before death or prior to going into hospital, hospice, residential home, or other form of care where the death occurred, a resident of the Parish of Cannington*
- b] in the case of a stillborn child one of the parents is such a resident*

In all other cases, double the fee shown in the Table of Fees will be charged

CANNINGTON PARISH COUNCIL

APPLICATION TO PURCHASE THE EXCLUSIVE RIGHT OF BURIAL
AT CANNINGTON CEMETERY

Please read and consider the regulations carefully.

I/we would like to apply for the Exclusive Right of Burial in the Cannington Cemetery, for either a traditional ground burial or the interment or ashes into the ashes area of the cemetery.

I/We understand that:

- a) The Cemetery and each grave space or ashes plot within are the property of Cannington Parish Council. Whilst I/we own the Rights to the Grave (or ashes plot) I/we do not own the land but simply the right to use in accordance with the rules and regulations of the cemetery
- b) The Exclusive Right of Burial is purchased for a period of 50 years and must not exceed 100 years at any one time
- c) I/We understand that if I/we are not a resident of the Parish of Cannington, that double the fees shown in the Table of Fees will be charged
- d) The Council will issue a formal Deed of Grant of Exclusive Right of Burial for each plot and this together with the Cemetery Regulations and these Terms, shall form the contract between the council and purchaser(s)
- e) The Exclusive Right of Burial entitles the registered holder(s) to:
 - a. Be buried in the grave or plot (subject to space being available)
 - b. Authorise burials in the grave or plot (subject to space being available)
 - c. Apply for permission to erect a memorial
 - d. Apply for an additional inscription
- f) No interment may take place within a grave/ashes plot and no memorial may be erected without the written consent of the registered owner(s) of the Exclusive Right of Burial of that grave/ashes plot
- g) Each registered owner of the Exclusive Right of Burial may be buried in the grave/ashes plot without the consent of the other registered owner (subject to space being available)
- h) The consent of all registered owners will be required to enable a memorial to be erected on the grave or to permit the burial in the grave of any other person
- i) No memorial will be placed upon a grave by anyone other than a Monumental Mason registered with British Register of Accredited Memorial Masons (BRAMM) or National Association of Memorial Masons (NAMM)
- j) Approval will only be given for a memorial that is in accordance with the Regulations
- k) The ownership of the Exclusive Right of Burial may be transferred during the owner's lifetime or after death. This is subject to registration with the Council, the endorsement of the deed of grant and payment of the appropriate transfer fee
- l) Possession of the Deed of Grant of Exclusive Right of Burial in itself does not prove ownership of the exclusive rights. The ownership of the Exclusive Right of Burial belongs to the purchaser(s) as registered with the Council at the time of sale of the right or following the registered transfer of ownership
- m) It is the responsibility of the owner(s) of the Exclusive Right of Burial to inform the Council of any change of address, contact details or their intention to transfer ownership of the right. Note that the Rights do not automatically transfer to any living spouse/children
- n) Please complete and return the attached form to Cannington Parish Council together with the request for burial or interment application. You will then be sent a signed and legally binding Grant of Exclusive Right of Burial document.

CANNINGTON PARISH COUNCIL**APPLICATION TO PURCHASE THE EXCLUSIVE RIGHT OF BURIAL
CANNINGTON CEMETERY**

Applicant 1	
Full Name	
Address	
Tel / email	
Signature	I accept and agree to conform to the Rules and Regulations of the Cemetery which have been provided to me:
Date	

Applicant 2	
Full Name	
Address	
Tel / email	
Signature	I accept and agree to conform to the Rules and Regulations of the Cemetery which have been provided to me:
Date	

Applicant 3	
Full Name	
Address	
Tel / email	
Signature	I accept and agree to conform to the Rules and Regulations of the Cemetery which have been provided to me:
Date	

PARISH COUNCIL USE ONLY		
Plot No:	ERB Grant No:	Issued on:
Signed (Parish Council Clerk):		Date:

**CANNINGTON PARISH COUNCIL
CANNINGTON CEMETERY
APPLICATION FOR INTERMENT**

Request for <i>[delete as appropriate]</i>	Burial of a Body
	Interment of Ashes

Burial of a Body or Interment of Ashes					
Surname of Deceased		Forename[s]			
Address					
Date of Death		Place of Death			
Date of Birth <i>[Optional]</i>		Age			
Using Existing Grave or Ashes plot	Yes/No	If yes, Plot Number			
New Grave or Ashes Plot Required	Yes/No	Plot Number		Depth <i>Single</i> <i>Double</i>	
Date and Time of Burial or Interment					
Next of Kin Details (Please provide details of 2 family members if possible)	1. 2.				
Exclusive Right of Burial Grant No (if app)					
Fee payable	£	Date Received			
Person arranging the burial/interment <i>[Undertaker / Relative / Other]</i>					
Address					
Telephone Number					
Person sending Registrar's Return <i>[Green Form]</i>	Cannington Parish Council Clerk Date sent to Registrar: -				

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CANNINGTON PARISH COUNCIL**MEMORIAL APPLICATION FORM**

This application is to be completed for work proposed to be carried out in relation with a memorial as per the Cemetery Rules and Regulations (Item 6) with effect from 1.6.24.

No works shall be undertaken until written permission is granted by Cannington Parish Council who will not be responsible for any costs incurred for works to a memorial that was not approved.

SECTION 1: Applicant (s) to complete

Name of Deceased:			
Date of Burial (if known):		Plot No:	
<p><i>To complete only where a Grant of Exclusive Right of Burial (ERB) exists (note ERBs were introduced 1.6.24).</i></p> <p><i>If an ERB does NOT exist, please just complete Applicant 1 details below</i></p>		<p>Where an ERB exists, please provide the Registered owner(s) of the Grant of ERB (named on the deed of grant):</p> <p>1.</p> <p>2.</p> <p>3.</p>	<p>Please provide the ERB Grant No:</p>
<p><u>Applicant 1:</u></p> <p>Name:</p> <p>Address of Applicant:</p> <p>Tel No:</p> <p>Email:</p>		<p><u>Applicant 2 (If applicable re ERB):</u></p>	<p><u>Applicant 3 (if applicable re ERB):</u></p>
<p>Please see notes for Memorial Mason overleaf</p>			
<ul style="list-style-type: none"> ▪ I/we have read the current Cemetery Regulations governing Cannington Cemetery (item 6 dated 1.6.24) ▪ I/we understand that I/we will be responsible for the costs of erecting and maintaining the memorial ▪ I/we understand that the memorial remains my property and as the registered owner(s) I am responsible for keeping the memorial in good repair at all times to meet with current and future Health and Safety Regulations that may be applied. ▪ If the memorial is found to be in an unsafe condition, at any time, I/we accept that the memorial will be laid flat/removed and that I/we will be responsible for the cost of removal and renovation/repair cost if I choose to have the memorial reinstated. I/we will ensure that I/we notify Cannington Parish Council of any change of address to enable them to notify me of any change in rules or regulations that may affect the grave or memorial 			
Sign and Date:		<p>1. Applicant 1</p> <p>2. Applicant 2 (If applicable)</p> <p>3. Applicant 3 (If applicable)</p>	
For Cannington Parish Council use only	Date Application Received:	Date Approved & Monumental Mason informed (inc map of plot):	
	Clerk initials:	Fee Received and Date:	£

SECTION 2

To be complete by the Memorial Mason who will be carrying out the work on a memorial or erecting a memorial at Cannington Cemetery

Work Required (please tick/delete as appropriate)	Erection of memorial Additional inscription Replacement memorial Repair work (including cleaning/letter painting)
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Memorial:

Note: All memorial masons must be registered with BRAMM or NAMM. All memorials must be fitted to BS 8415. If over 2ft (60cm) in height, memorials must have an anchor and the grave number and name of the mason etched on the memorial. Memorials must not exceed the dimensions in the relevant regulations. Any memorial not approved by Cannington Parish Council will be removed.

Type of memorial:

Headstone	Desktop tablet	Vase
		

Type and colour of stone: Details of fittings	
Type of decorative features if any: (eg painting, photograph, ceramic posy)	
Size: Please give full dimensions of proposed memorial	
Proposed Inscription: Please use additional paper if necessary	

I/we confirm that:

- The memorial will be manufactured and erected to the current minimum BRAMM/NAMM standards and headstones will include an approved anchor system
- I/we agree to be responsible for any damage caused to Parish Council property, surrounding memorials, tuft etc caused by the negligence of myself, my team and/or any subcontractor employed by me
- I/we agree to remove all unused materials/rubbish and to leave the area in a neat and tidy state
- I/we have explained to the registered owner of the grave space that the memorial remains their property and that they are responsible for keeping it in a good and safe condition to current industry and general Health and Safety standards at all times
- I/we have advised the owner to consider insuring the memorial against accidental damage and vandalism
- I/we enclose a sketch/photograph of proposed memorial

Signed:	Date:
Name of company:	Address of company: