



RULES AND REGULATIONS FOR WARMINGTON CEMETERY.

1. Administration

- 1.1 Notice of any interment shall be emailed, on the prescribed form and signed by the person giving the same, to the Parish Clerk, two full days before the time of the proposed interment (exclusive of Saturdays, Sundays and public holidays), except in cases of death from infectious disease or other interments required immediately upon medical or coroner's certificates.
- 1.2 All times of interment shall be agreed with the Parish Clerk. The latest time a funeral service may start is 3pm.
- 1.3 The scale of fees will be approved by the Council on a periodic basis and will be available from the Clerk.
- 1.4 All fees and charges due to the Parish Council shall be paid to the Parish Clerk at the time of giving notice of interment.
- 1.5 The Certificate of the Registrar of Deaths, or in cases when an inquest has been held, the certificate of the Coroner, shall be produced, and in the cases of still born children, a certificate from a Surgeon or Registered or certified Midwife will be required on the prescribed form. These certificates shall be handed to the Parish Council's contractor before the interment takes place.
- 1.6 Dogs are not permitted in the cemetery.
- 1.7 Please do leave any personal belongings or tools etc in the cemetery.

2. Burial Details

- 2.1 The allocation of graves whether for ordinary interment or the purchase of exclusive right of burial will be subject to the approval of the Council and issued by the Clerk.
- 2.2 The Parish Council Clerk shall identify the burial plots on a plan of the appropriate section of the cemetery.
- 2.3 Cremation caskets can be placed in cremated remains plots or grave plots. If a grave plots is to be used, exclusive rights of burial must be purchased at the appropriate fee.
- 2.4 The nominated funeral director must arrange for the a contractor to excavate and fill the grave. No spoil whatsoever is to be left in the cemetery, other than on the actual grave plot.
- 2.5 Any spoil left in the cemetery will be cleared by the Parish Council's contractors and charged to the funeral directors, together with a corresponding administration fee. **If funeral directors persist in employing contractors who do not remove spoil, the council will consider disallowing them access to the cemetery.**
- 2.6 The size of the plots shall be as follows:
 - Burial plot 8ft x 4ft
 - Cremation caskets 4ft x 2ft
 - Still births 4ft x 2ft
- 2.7 Where the burial plot size of 8ft x 4ft is insufficient to accommodate the interment of a coffin, it will be necessary for the Exclusive Right of Burial to be purchased for two adjoining plots at full cost. The Council will not be responsible or liable where a pre-purchased grave plot of 8ft by 4ft is



insufficient to accommodate the interment of the coffin as the Exclusive Right of Burial will have been sold in the good faith that the plot size would be adequate.

- 2.8 No grave shall be dug without the authority of the Parish Council.
- 2.9 All graves shall be dug so that all parts of the coffin shall be at least 3 ft/90cm below ground level.
- 2.10 In the case of a grave where a double interment is planned, the initial depth is to be 6ft / 1.84m.
- 2.11 In some areas of the cemetery, it may not be possible to grant double depth interments.
- 2.12 The interment of cremation caskets in a grave where a coffin has been interred will be allowed subject to the consent of the owner of the Exclusive Right of Burial.
- 2.13 Vaults and bricked lined graves will not be allowed.
- 2.14 Only coffins constructed using fully bio-degradable materials shall be used.

3. Memorials

- 3.1 Memorials shall only be allowed where Exclusive Rights of Burial have been purchased and the owner of the Exclusive Rights of Burial, or her/his agent, applies in writing.
- 3.2 All memorials must be installed by professional masons who must install memorials in accordance with BS8415 and the NAMM Code of Practice.
- 3.3 All memorials and inscriptions and the erection thereof shall be to the prior approval of the Parish Council. The format shall be submitted to the Parish Clerk on a form obtainable from the stonemason or the Clerk before permission is granted. On permission, the payment of the fees will be accepted.
- 3.4 The Parish Council will consider on an individual basis applications to erected kerb stones. Applications must be accompanied by a picture of the selected kerbstones, together with the dimensions and details of which they are made. Details are also required on the material that will be used to fill the area within the kerbstones. The Parish Council reserves the right to refuse applications and precedent with other graves will not be taken into consideration.
- 3.5 Dimensions (Maximum allowable) The kerbstone will extend no more than 1830mm by 900mm
- 3.6 The Parish Council will consider applications for kerbstones that are constructed from blue/black 'rope design' edging pieces. Applications must be accompanied by a picture of the selected kerbstones, together with the dimensions and details of which they are made. Details are also required on the material that will be used to fill the area within the kerbstones. The work must be undertaken by an approved contractor with appropriate experience and insurance.

The Parish Council reserves the right to refuse applications.

- 3.7 Each grave shall be allowed a simple headstone. Maximum height for memorial headstones is 155cm. Each headstone should contain the number of the grave at the rear of the base. The Mason's name may be discreetly displayed in a similar position. The headstone may stand on a small base of similar material, which can incorporate a removable vase.
- 3.8 Memorials placed on a cremated remains plot must be a suitable scale and design for such a plot; the decision of the Council is final in all cases. Maximum dimensions are height 60cm, width 45cm and length 75cm.
- 3.9 All memorials admitted to the cemetery or permitted to be placed therein, shall remain at the sole



risk of the owner, and the Parish Council will not be responsible for any damage or breakage that may occur.

- 3.10 No memorial or part of a memorial may be removed from the cemetery without the prior approval of the Parish Council. Any memorial removed in the process of opening a grave shall be removed at the risk and expense of the person requiring the grave to be opened.
- 3.11 The Parish Council reserve the right to remove or prevent the erection of any grave stone, tablet, memorial or vase for which no permit has been issued.
- 3.12 Natural wreaths and flowers may be placed on the graves, but on the owner's responsibility, and suitable receptacles for flowers may be permitted as long as properly in use. GLASS IS NOT PERMITTED IN THE CEMETERY.

Dead or withered flowers shall be removed and placed in a receptacle provided for the purpose. All memorials or receptacles for floral tributes must be placed within the curtilage of the grave.

- 3.13 It is not permitted to plant trees on graves as they are not in keeping with the layout of the cemetery.
- 3.14 The Parish Council will not be responsible for any accident to monuments or gravestones occasioned by any cause.

4. The Interment

- 4.1 Arrangements for the attendance of a minister of Religion (if required) shall be made by the relatives or the funeral director, and the Parish Council accepts no responsibility in connection therein.
- 4.2 The time arranged for an interment shall be the time at which the cortege is to arrive at the cemetery and shall be strictly adhered to.

5. Exclusive Rights of Burial

- 5.1 The Parish Council may grant the exclusive right of burial in any grave space or cremated remains space upon submission of any application to purchase such rights and the payment of the prescribed fee.
- 5.2 An Exclusive Rights of Burial will be vested in no more than two names.
- 5.3 Where an Exclusive Right of Burial is issued in two names, the Exclusive Right of Burial will be vested jointly and equally with neither party having a controlling interest.
- 5.4 Where an Exclusive Right of Burial is issued in two names, when one party pre-deceases the other, the Exclusive Right of Burial will be vested in the sole name of the living owner.
- 5.5 The purchase of the Exclusive Right of Burial shall be for 50 years, after which all rights shall revert to the Parish Council.
- 5.6 Owners of Exclusive Rights of Burial cannot transfer such rights to anyone without the consent of the Parish Council and the payment of the prescribed fee.
- 5.7 No grave in respect of which the Exclusive Right of Burial has been granted shall be opened without the consent, in writing, of the Rights owner or his executor or agent.



- 5.8 Plots for the Exclusive Rights of Burial shall be strictly issued on the basis of the next available.
- 5.9 A written record shall be kept of all plots for the Exclusive Right of Burial and a certificate issued by the Parish Clerk as proof of this right.
- 5.10 In the event of the death of the owner of the Exclusive Right of Burial, the owner may be interred in the grave providing there is sufficient space, without the re-assignment of the Exclusive Right of Burial. The Exclusive Right of Burial should be re-assigned to the legal beneficiary as soon as practical after the death of the owner.
- 5.11 The owner of an Exclusive Right of Burial must inform the Parish Council of any changes of details such as address or name.

6. Cremated remains

- 6.1 Cremation plots may be purchased at the appropriate rate.
- 6.2 Cremated remains may be buried in a burial plot, subject to purchase of a burial plot.
- 6.3 Biodegradable receptacles shall be used for cremated remains.
- 6.4 All interments are subject to normal conditions.
- 6.5 The certificate for burial of ashes issued by the Registrar of the Crematorium shall be produced to the Parish Council's contractor before the interment takes place.
- 6.6 Ashes may be scattered at the cemetery with the consent of the Parish Clerk, following consultation with the council. This is restricted to a specific grave spot but with the turf removed first and then replace once scattered.

7. Maintenance of graves and memorials

- 7.1 The owner of the headstone or memorial, being the person who had it put up, and his successors in title, remain responsible for the stone or memorial.
- 7.2 The owner of the stone is liable for any injury if a person is injured by the unsafe condition of the gravestone if he does not prevent the stone from causing injury.
- 7.3 If the owner of the Burial Rights elects not to have a grave surface of turf, which would be maintained by the Parish Council, the owner is responsible for the maintenance of the grave surface.
- 7.4 The Parish Council has the power to put and keep in order any unkempt grave. The Parish Council can require the family of the deceased to meet the costs.
- 7.5 The Parish Council may undertake at any time, with reasonable notice, an inspection of the cemetery to identify potential dangers. A suitably qualified person will be appointed to carry out this work.
- 7.6 The Parish Council will exercise its powers under the Local Authorities' Cemeteries Order 1977 to make safe any headstones or kerbs. The Parish Council will follow the procedures specified in Schedule 3 to the Order.
- 7.7 Any memorials that appear likely to cause injury or damage at any moment will be cordoned off and warnings will be placed.



8. Fees

8.1 The Parish Council maintains a schedule of fees and charges applicable to the Cemetery.

8.2 The Parish Council will levy an additional fee for non residents. These charges will not be applicable in the case of a person whose residence within the area of Warmington Parish Council for a continuous period of not less than seven years can be established.

8.2.1 The determination on whether a resident or non resident fee should be applied will be based on the residency status of the deceased rather than the owner of the Exclusive Right of Burial

8.3 A separate fee will be levied for each type of memorial permitted.

8.4 The Parish Council reserves the right to make alterations from time to time in the tables of fees and charges

9. Responsibilities of the Parish Council.

9.1 The Parish Council will be responsible for the proper running, administration and maintenance of the cemetery.

9.2 A Register of Burials and a Register of Graves will be kept by the Parish Clerk. Searches may be made by prior arrangement.

9.3 These regulations are drawn up by Warmington Parish Council for the proper conduct and operation of the cemetery. Any variation or alteration to these regulations and procedures may only be made with the express agreement of the Parish Council.

9.4 The decision of the Parish Council will be final in all cases.

When a matter arises that is not covered by these regulations, the clerk will make a decisions following consultation with the chairman of the Governance Committee or the Chairman of the Parish Council.

10. Data Protection – General Data Protection Regulation / Data Protection Act 2018.

Purchase of Exclusive Rights Privacy Notice

When you purchase the Exclusive Right to a single or joint cemetery plot, the information you provide (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible to contact you and to respond to your correspondence, provide information, send invoices and receipts relating to your burial plot/s. Your personal information will not be shared with any third party without your prior consent.

The Council's Right to Process Information :GDPR Article 6 (1) (a) (b) and (c) (Data Protection Act 2018)

Processing is with consent of the data subject or

Processing is necessary for compliance with a legal obligation or

Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract

Information Security:Warmington Parish Council works to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and relevant policies.



We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted.

Your Rights

Access to Information: You have the right to request access to the information we have on you. You can do this by contacting clerk@warmington.org.

Information Correction: If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact: clerk@warmington.org

Please note: Warmington Parish Council has a legal obligation to retain the personal details of owners of Exclusive Rights and Registrar consent for burial. This also includes cemetery information detailing the names of those buried or to be buried in the future within its burial grounds.

Right to Object: If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact clerk@warmington.org

Rights Related to Automated Decision Making and Profiling : Warmington Parish Council does not use automated decision making or profiling of personal data.

To Sum Up

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We constantly review our Privacy Policies to keep it up to date in protecting your data.

Complaints

If you have a complaint regarding the way your personal data has been processed you may make a complaint to clerk@warmington.org and the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113

May 2018.