

ECKINGTON PARISH COUNCIL
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CEMETERY and CHURCHYARD
MANAGEMENT
and POLICIES

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1. INTRODUCTION

Eckington Parish Council currently has the responsibility for the maintenance of the cemetery in Pershore Road and the churchyard at Holy Trinity Church. This document supersedes the first "Cemetery and Churchyard Maintenance, and Policies" which was adopted by the Parish Council in 2008.

2. BACKGROUND

In 1897 it was recognised that there was little space left for burials in the churchyard and so the Parish Council purchased a plot of land in Pershore Road in order to provide a cemetery. Fences and walls were erected around the perimeter of the site, a lych-gate was built, trees planted and paths constructed. On the 11th November 1902 the Bishop of Worcester consecrated the cemetery and the first burial took place on 23rd December 1902.

To administer the cemetery a Burial Board was formed under the auspices of the Parish Council. In more recent times the Parish Council decided to discontinue the Burial Board and incorporate all matters relating to the cemetery and churchyard into the main council business.

With the introduction of the cemetery in 1902, burials ceased in the churchyard and it officially became a "Closed Churchyard". Wychavon District Council, under Section 215 of The Local Government Act 1972, became responsible for the maintenance of the churchyard once they had been requested to intervene by Eckington Parochial Church Council. Unfortunately, irregularity of grass cuts and the general poor standard of maintenance led to complaints by parishioners and so in 1990 the Parish Council applied to take on the maintenance responsibility. It was felt that not only could the Parish Council provide better maintenance standards but also reduce costs. Because of an administrative error, it was not until 1998 that a formal agreement was made between Wychavon and Eckington Parish Council, even though the Parish Council had been undertaking the maintenance for the previous eight years.

3. THE CEMETERY

An accurate survey of the cemetery was carried out in 2014. This was deemed necessary as the old plans were schematic and as such did not accurately record the correct position of graves. This was making it difficult for Undertakers to identify the precise location of vacant plots when required. (Note: There is duty under the Local Authorities Cemeteries Order 1977: Article 9; to maintain plans which clearly show and allocate numbers to graves)

Since 2008, 20 burial plots have been given over to a "Garden of Remembrance". This was due to the "Garden of Remembrance" by the Church Tower in the Churchyard becoming full. A further 18 burial plots

have been lost to the presence of tree roots from the large mature trees around the perimeter of the Cemetery.

The cemetery is laid out in eight blocks referenced A to H, plus there is an area of un-consecrated ground. (See plan in Appendix 1) With the changes that have taken place, there is now a revised total of 858 burial plots in the consecrated ground, 673 of which are occupied, 13 have been purchased for future burials, leaving 172 burial plots currently vacant. In the un-consecrated area there are 132 burial plots of which 114 are currently vacant.

Approximately 250 of those interred in graves are identified by headstones, crosses, kerbstones or vases. Some 63% of graves, therefore, have no memorial stones.

An annual safety check is carried out on all the headstones crosses etc. by the Parish Council. There are also four War Graves that that are inspected and maintained by the Commonwealth War Graves Commission.

Apart from the memorial stones, there are a number of other features in the cemetery that require regular inspection and maintenance. There is an iron railing fence on the boundary of three sides of the cemetery with a stone wall on the west side abutting the public highway. On the west side, at the entrance to the cemetery, there is a lych-gate. On the west, south and eastern boundaries are a number of well established trees, whilst through the centre of cemetery runs a tarmac path.

4. THE CHURCHYARD

There are 117 memorial stones in the churchyard of which at least eight date from the eighteenth century but with the majority being from the nineteenth century. Many stones are now so weathered that it is not possible to decipher the inscriptions on them. The public footpath through the churchyard divides the cemetery into two plots, with the memorials on the north side being referred to as Plot A and those to the south, Plot B. (See plan in Appendix 2)

Near to the Church Tower there is a Garden of Remembrance, now closed, that contains a considerable number of small flatly laid stones.

There is a stone wall on the western boundary and a dilapidated dry stone wall on the northern boundary. Ownership of this wall has not been determined. On the southern and eastern boundaries stand iron railing fences and which in all probability belong of the churchyard.

There are a number of elderly Cedar trees around the edges of the cemetery, with a Tree Preservation Order having been placed on one adjacent to the highway at the front of the church. This particular tree forms an important part in the streetscape of Church Street.

5. MAINTENANCE OF THE CEMETERY AND CHURCHYARD

The Parish Council have a responsibility to ensure that the cemetery and churchyard are safe for those working in them and for members of the public when visiting. In order to meet with these requirements it is necessary for the Parish Council to formally adopt the following management policies.

MEMORIAL STONES

Design and Installation

During the safety inspections that have been carried out in recent years, it has been discovered that some of the most recently installed upright memorial stones were unstable. To ensure that this trend does not continue it is essential that any new memorials conform to national standards of design and installation.

Policy 1

All new memorial stones should be supplied and installed in accordance with *BS 8415:2005+A2 2012* and to the *NAMM Code of Business Practice*. And a Permit obtained from the Council before installation/other work takes place: A Grant of Memorial Rights will last for 30 years

Applications should be required for all new memorials to be installed within the cemetery. An application for the installation of a new memorial should include:

- Name and address of the applicant (normally the owner of the right of burial)
- Name and address of memorial mason
- Grave details (section, plot number etc)
- Details of memorial to be installed including:
 - Dimensions of memorial
 - Proposed memorial inscription
 - Type of stone (or other material) to be used in the construction of the memorial
 - Full construction details of the memorial including dowel sizes, dowel holes sizes and type of ground anchor (if required).
 - Signed commitment that the memorial will be installed in full compliance with the current version of the NAMM Code of Working Practice and BS 8415.
- Signed commitment to compliance with a local or national registration scheme, ideally the British Register of Accredited Memorial Masons (BRAMM).

Additional inscriptions, renovation and other work

Applications for additional inscriptions, renovation and other work should follow a very similar process to that outlined above for new memorials. If a memorial is to be removed from its original fixing then it should not be allowed to be refitted unless it complies with the NAMM Code/BS 8415 and should then follow the same procedures as a new memorial with a requirement for a permit before it can be reinstalled.

Where memorials are being refitted care should be taken to ensure that all lawn type memorials have new dowels fitted between the upright plate of the memorial and the base, as well as a new foundation, if required, and a suitable ground anchor. Even where cleaning or other work is required, that will not necessitate the removal of the memorial from its original fixing, an application

form should be completed so that the Council is aware of the work and that the correct materials are being used safely.

Safety Inspections

A schedule of all memorial stones, for both the cemetery and the churchyard, has been prepared. Each memorial shall be inspected visually and an assessment made, taking into consideration the following.

- Are joints good?
- Are there cracks present?
- Are any kerbsets breaking apart?
- Is the memorial leaning?
- Is vegetation affecting it?

Following the visual inspection, a hand test shall be carried out, providing it seems safe to do so. This is to check the stability of the memorial stone. Should any of the memorials have been 2.5 metres or more in height then it may have been necessary to involve a structural engineer, but all of the memorials are below two metres in height.

Whilst the inspection is being carried out, if it should be determined that any of the memorials present an immediate safety hazard, then action shall be taken as soon as is practically possible to make the area safe.

When the safety inspection is complete, the schedules shall be signed by the two people carrying out the inspection and at the following Parish Council meeting a report on the findings should be made.

Policy 2

A safety inspection of all memorial stones shall be carried out annually. Two people shall be appointed by the Parish Council to attend to this inspection.

Owners of Memorial Stones will be contacted where possible and made aware of costs to rectify faults.

TREES

There are several mature/elderly trees in both the cemetery and the churchyard. They have all been regularly inspected by qualified arboriculturists in recent years and any identified maintenance works have been attended to.

The trees in the churchyard lie within a Conservation Area and therefore the District Council would need to be consulted on any proposed maintenance work. Trees in the Churchyard are not within the Conservation Area and therefore the District Council do not need to be consulted on any trees works there.

The Cedar tree on the western boundary of the churchyard, adjacent to Church Street, has a Tree Preservation Order (TPO) on it.

Policy 3

All trees in the cemetery and churchyard shall be inspected every four years by a qualified arboriculturist and a report of the findings and recommendations be presented to the Parish Council.

High risk matters will be dealt with by the clerk as quickly as possible.

BOUNDARY FENCES

Both the cemetery and churchyard have considerable lengths of aging iron railings. In 2000, major repairs were carried out to the railings in the cemetery but no maintenance work has been carried out to the railings in the churchyard that is known of.

BOUNDARY WALLS

The cemetery has a stone wall on its western boundary. The coping stones are weathered and in the 1980's cement was applied to the tops of these stones for safety and ascetic reasons. Ivy and other vegetation tends to appear on the faces of the wall and this needs to be kept in check to prevent long-term damage

LYCH-GATE

The lych-gate was built in 1902 and has a stone base, timber framing and is topped off with a slate roof. It stands close to trees and occasionally small branches drop onto the roof and damage tiles. The lych-gate also contains double wooden gates. Following the theft of the original gates, new ones were presented to the Parish Council by a village family, in memory of their daughter.

SEATS

There are currently three bench seats within the cemetery, provided by families of the deceased. There is also a bench outside the cemetery wall but its origins are unknown. There are currently four bench seats within the churchyard, but as they require faculties to be installed they are regarded as being the responsibility of the Parochial Church Council.

Policy 4

Requests from families to provide Memorial seats or benches at the cemetery will be considered by the Parish Council provided they meet the following criteria:

- (i) The proposed location is suitable**
- (ii) The seat or bench design is appropriate**
- (iii) The donor is responsible for any maintenance required to keep the seat or bench in a safe condition.**

(iv) Should at any time the Parish Council become aware of the seat being unsafe then the donor will be notified. The Parish Council reserve the right to remove the seat if remedial works are not carried out in a reasonable period of time.

(v) Should the donor wish the Parish Council to provide insurance cover for any such seats or benches against theft or damage, then a fee will be payable.

PATHS

The cemetery contains a tarmac footpath running west to east through the centre. In 2014 it was deteriorating and will need to be resurfaced in the not too distant future. The path was last tarmacked in January 1974. There are a number of grass paths throughout the cemetery but they are not easily distinguishable. It is in the grass cutting contract that the grass paths should receive a shorter cut than the rest of the cemetery. There is also a tarmac footpath running through the churchyard but this is a public right of way and therefore maintenance is the responsibility of the County Council.

Policy 5

An annual safety inspection shall be carried out of the lych-gate, seats, paths, fences and walls. Two people shall be appointed by the Parish Council to attend to this inspection.

GRASS CUTTING

Both the cemetery and churchyard have large areas of grass to maintain. A contract to maintain the grass areas is put out to tender every three years.

Policy 6

In order to maintain a high standard of maintenance a contract to cut the grass in the cemetery and churchyard shall be put out to tender every three years. Ornaments will not be permitted on graves. The maintenance of kerbed graves will be the responsibility of the grave owner.

BURIALS

FEES

The Parish Council operate a scale of charges for burials, internments, installing headstones and the like. It is incumbent upon the Parish Council to keep these charges at a realistic level and they should be reviewed at frequent intervals.

Policy 7

A review of the burial fees shall be carried out each November, in order they may be agreed and minuted and so that any new charges can be implemented from the first of January

Policy 8 Burial Procedure (October 2019)

8.1 Right of Burial

Exclusive rights will be granted for a period of 100 years from the date of purchase. Exclusive rights may be renewed for a further term (not exceeding 99 years).

It is the Funeral Director's responsibility to ensure the right to burial is established and agreed with the Council.

If the current grant owner is deceased and was buried or cremated elsewhere at some time in the past and no transfer of ownership took place at that time the Funeral Director will be requested to contact the Council offices immediately so that a transfer of ownership can be arranged before the grave is reopened for burial. In these circumstances it is vital to establish a new owner prior to reopening the grave so as to comply with Article 10(6) of the Local Authorities Cemeteries Order 1977 as mentioned above.

If the registered owner is the current deceased person the applicant is advised to make contact with the Council after the funeral in order to arrange a transfer of ownership of rights.

If neither the applicant or the current deceased person are registered as owner of the exclusive right of burial the Funeral Director will need to prove a right by other means i.e. copy of a Will.

When there is no Will

If the owner of the rights dies without leaving a will the Council will ask for:

- the Grant of the Exclusive Right of Burial
- the Grant of Letters of Administration – letters of administration are granted to a person or persons who apply to the Court to receive permission to administer the estate of the deceased. The Letters of Administration should name the administrator/s and once again should bear the official seal of the Court. The relevant part of the document should be copied and retained on file. An Administrator of an estate has the same powers and responsibilities as an Executor
- if the person is not also the Administrator then an Assent Form is required from the Administrator(s) giving the Grant of Exclusive Right of Burial to you.

OR

If the estate is of insufficient value to merit application for Letters of Administration the Council will ask for:

- the Grant of the Exclusive Right of Burial
- the Death Certificate
- a Statutory Declaration detailing the relationship, witnessed by a Commissioner for Oaths (normally a practicing solicitor) or a Magistrate
- a Form of Renunciation from all other people that would be entitled to claim the Grant of Exclusive Right of Burial.

OR

If the current owner is living but not personally making the current funeral arrangement the Funeral Director must obtain the certified signature of the living owner on the notice of interment (*As per Article 10(6) Local Authorities Cemeteries Order 1977*)

8.2 Notice of Interment and Certificates

The notice of interment should be received at least 48 hours before the burial is due to take place in order to check details of grave location and ensure that it is signed by the registered grave owner (or appropriate person should the owner be deceased).

In addition to the Notice of Burial, legal authorisation for the burial to go ahead is also required.

This will be in the form of a Registrar's Certificate for Disposal (commonly known as the Green Form) issued by the Registrar of Births and Deaths following sight of the Death Certificate. The Registrar's Certificate proves the death has been registered, a legal requirement before burial. This form has a detachable 'Part C' that must be completed by the burial authority and returned to the Registrar of Births and Deaths*.

Alternatively, a Coroner's Order for Burial (Form 101) is acceptable, where the death was sudden, accidental or otherwise unusual. In these particular circumstances the Coroner arranges the registration of the death. The Coroner's Order for Burial is a white form again and has a detachable 'Part C' that must be completed by the burial authority and returned to the Registrar of Births and Deaths*.

Should the death have occurred abroad, a Certificate of Non-Liability to Register will be issued by your local Registrar of Births and Deaths. This is a small white certificate with a detachable 'Part C' that must be completed by the burial authority and returned to the Registrar of Births and Deaths*.

Should the burial be of a stillborn child a Registrar's Certificate for the Disposal of a Stillborn Child will be issued by the Registrar of Births and Deaths. This is a white certificate and has NO Part C.

In the case of burial of cremated remains the crematorium at which the cremation took place will issue a certificate stating that the death has been registered and that all forms and certificates relating to the cremation are held at the crematorium.

8.3 Funeral Directors

- Will be required to provide their risk assessments, safety systems of work and staff training information together with a copy of their public liability insurance certificates
- Will be required to establish whether a 1st or 2nd burial
- Will be required to establish whether ashes are placed at head, middle or foot of re-opened grave
- Will be required to ensure that process in 8.4 is adhered to

8.4 Grave Digging

- Must be fully trained operatives
- Must wear protective clothing
- Graves must be dug centrally within the grave space to the exact dimensions allowing 3 ft. soil depth at the top, (coffin 1 depth), 6" soil (coffin 2 depth)
- Graves must be shored up in compliance with safety regulations

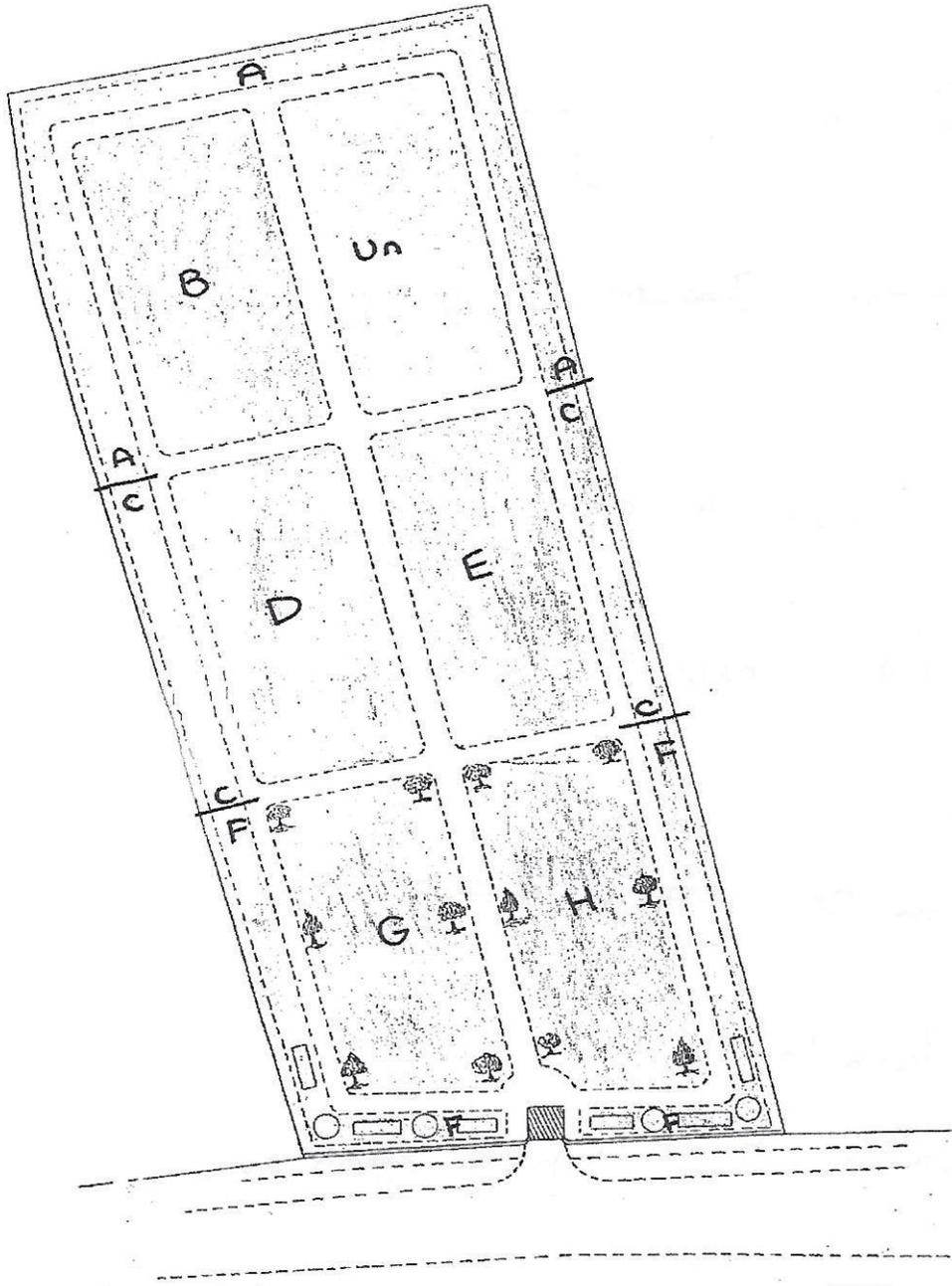
- All unattended graves must be completely boarded over to prevent any person falling into the grave
- In order to maintain an emergency exit, and in accordance with the Confined Spaces Regulations 1977, a ladder must remain in place whenever an operative is working in a grave.
- Entry and egress from a grave must be by ladder and the shoring must not be used
- All finished graves must be prepared with imitation grass matting laid out neatly on staging leaving no folds or gaps
- A suitable platform must be laid along the length of the grave capable of carrying the weight of Pall Bearers and coffin
- Following the interment and after a settlement period of twelve months the grave must be levelled and re-turfed

8.5 ASHES

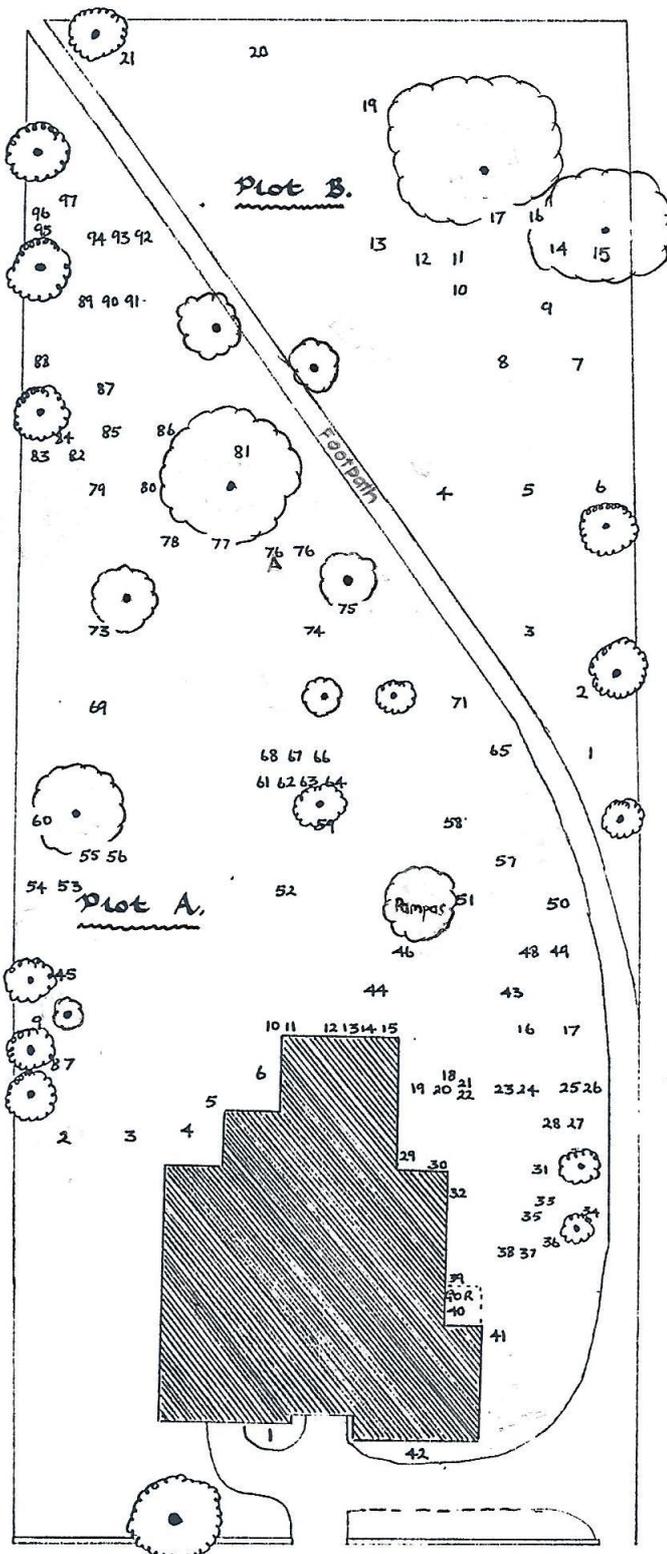
No cremated human remains shall be scattered without the permission of Eckington Parish Council

Appendix 1

Plan of Cemetery



Plan of Churchyard



Cemetery – Burial Plot Survey

Block	Original No.Plots	Added Plots	Do not Exist	Garden of Rem	Lost to Tree Roots	Revised No.	Burial Plots Purchased	Burial Plots Occupied	Burial Plots Vacant
A	93			10	13	70	0	11	59
B	132					132	5	88	39
C	62	2	3	10		51	2	12	37
D	132					132	1	127	4
E	132	1				133	3	120	10
F	49	14			5	58	2	46	10
G	132	12				144	0	135	9
H	132	8	2			138	0	134	4
					Totals	858	13	673	172
UnCon	132					132	0	18	114

Above Figures as at August 2016

Appendix 4

Reference Documents:

"BS 8415:2005+A2 2012"

Monuments within Burial Grounds and Memorial Sites – Specification

"NAMM Code of Business Practice"

Published by the National Association of Memorial Masons:

"Local Authorities Cemeteries Order 1977"

Subject to the provisions of this order, a burial authority may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery

"Guide for Burial Ground Managers"

Published by Department of Constitutional Affairs; 2005

"Local Government Act 1972"

Mechanics of Closed Churchyards (In particular S214 and S215)

"Health and Safety at Work Act 1974"

Ensuring that Tombstones and Monuments do not present a hazard (In particular S2)

"Care of Churches and Ecclesiastical Jurisdiction Measure 1991"

Care and maintenance of Closed Churchyards, relating to tree maintenance. (In particular Part II Section 6)

"The Blue Book"

Complying with BS8415:2005+A2:2012

The reference guide for Memorial Masons & Cemetery Personnel

Updated February 2016

SLCC Cemetery Management and Administration