



Barrowby Parish Council

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Burial Ground Regulations and Management Policy

1. Introduction

Barrowby Parish Council is the **Burial Authority** for the Barrowby Burial Ground and is responsible for its administration, management, and maintenance.

These Regulations and Management Policy establish the framework under which the burial ground is operated to ensure that:

- burials are conducted lawfully and respectfully
- the burial ground is maintained in a safe and dignified manner
- memorials are properly regulated and inspected
- accurate burial records are maintained
- the burial ground remains a respectful place of remembrance for the community.

The Council will administer the burial ground in accordance with relevant legislation and recognised best practice.

2. Legislative Framework

The management of the burial ground is governed by the following legislation and guidance:

- Burial Acts 1852–1906
- Burial Act 1857
- Local Authorities' Cemeteries Order 1977
- Health and Safety at Work etc. Act 1974
- Occupiers' Liability Acts 1957 and 1984
- Local Government Act 1972
- Environmental Protection Act 1990

Relevant industry guidance includes:

- Institute of Cemetery and Crematorium Management (ICCM)
- National Association of Memorial Masons (NAMM)
- British Register of Accredited Memorial Masons (BRAMM)
- British Standard BS8415 (Memorial Installation)

3. Burial Authority Responsibilities

Barrowby Parish Council shall:

- maintain the burial ground in a safe condition
- regulate burials and memorials
- maintain statutory burial records
- ensure memorial safety inspections are carried out
- appoint contractors where necessary for grave digging or maintenance
- determine burial fees and charges.

Operational administration of the burial ground is undertaken by the **Clerk to the Parish Council acting as Proper Officer**.

4. Burial Ground Regulations

4.1 General Conduct

Visitors to the burial ground are expected to behave respectfully.

The following are prohibited without permission of the Council:

- damaging memorials or planting
- removing flowers or items placed on graves
- bringing vehicles onto the burial ground except for authorised purposes
- leaving waste or litter.

Dogs must be kept under control and any fouling must be cleared immediately.

4.2 Burial Applications

All burials must be arranged through the Parish Council.

Barrowby Burial Ground is available to parish residents only, unless the Council resolves otherwise in exceptional circumstances. The Council may require proof of residence before confirming eligibility for burial, purchase of Exclusive Right of Burial, or the application of any fee category

A burial will only take place once:

- a completed burial application form has been received
- the Registrar's Certificate for Burial or Coroner's Order has been provided
- the relevant fees have been paid
- the burial has been authorised by the Council or Clerk.

Burial times will be agreed with the Council to ensure safe preparation of the grave.

4.3 Authority to Give Instructions

Only the registered holder of the Exclusive Right of Burial, or a person legally entitled to act on their behalf, may authorise:

- the opening of a grave where Exclusive Right of Burial exists;
- the burial of further remains in that grave;
- the installation, alteration, removal or additional inscription of a memorial.

Where the registered owner is deceased, cannot be traced, or where ownership is disputed, the Council may require such evidence as it considers necessary before giving approval, including

probate, letters of administration, a statutory declaration, deed of assignment, deed of relinquishment, or other evidence of entitlement.

Where there is a dispute as to ownership or authority, the Council may refuse to permit burial, memorial works, or other instructions until the dispute has been resolved to the satisfaction of the Council. In such cases, the Clerk shall refer the matter to the Council or the committee/member with delegated authority.

5. Exclusive Right of Burial

The purchase of the **Exclusive Right of Burial** grants the holder the right to determine who may be buried in a grave and to authorise the installation of a memorial.

The Exclusive Right of Burial:

- does **not constitute ownership of the land**
- is granted for a specified period determined by the Council
- may be transferred to another person through the Council.

The Council will maintain a **Register of Exclusive Rights of Burial**.

5.1 Transfer of Exclusive Right of Burial

Any transfer of the Exclusive Right of Burial must be made through the Council on the prescribed form and supported by such evidence as the Council may require.

No transfer will be recognised until:

- the Council has received a completed application;
- satisfactory evidence of entitlement has been produced;
- any required fee has been paid; and
- the transfer has been entered in the Register of Exclusive Rights of Burial.

The Council may require production of the original deed or grant certificate where available.

Where the registered owner has died, the Council may require probate, letters of administration, assent, statutory declaration or other appropriate legal documentation before registering a transfer.

The Council reserves the right to refuse to register a transfer where documentation is incomplete, contradictory, or where a dispute exists.

6. Memorial Regulations

6.1 Approval required

No memorial may be installed in Barrowby Burial Ground without the prior written approval of the Council.

A memorial permit application must be submitted by an approved memorial mason.

6.2 Memorial standards

All memorials must:

- comply with recognised industry standards;
- be installed in accordance with **BS 8415** or any successor standard;

- be installed by a memorial mason registered with **NAMM** or **BRAMM**, or other equivalent body approved by the Council;
- be of a design, material and finish approved by the Council.

The Council reserves the right to refuse any memorial it considers unsuitable in design, scale, material, inscription, condition or installation method.

6.3 Memorial dimensions

Unless otherwise approved by the Council, memorials must not exceed:

- **maximum height:** 900mm
- **maximum width:** 750mm
- **maximum thickness:** 100mm

6.4 Temporary wooden crosses

A temporary wooden cross may be placed on a grave following burial.

Any temporary wooden cross must be removed within **18 months** of the date of burial, unless the Council has agreed otherwise in exceptional circumstances.

If a temporary wooden cross becomes unsafe, damaged or dilapidated before the end of that period, the Council reserves the right to require its repair or removal.

6.5 Plinth requirement for new memorials

All new memorials must include an approved **plinth, base or integral area** for flowers and permitted ornaments.

Flowers, containers and permitted small ornaments must be placed on the plinth or within the memorial footprint, and not on the surrounding grassed area.

This requirement is to allow routine maintenance of the burial ground and to reduce the risk of accidental damage during grass cutting and other upkeep.

6.6 Authority for memorial applications

Applications for memorial permits, inscriptions, repairs, removal or replacement must be made with the written authority of the current registered holder of the Exclusive Right of Burial, or a person the Council is satisfied has lawful authority to act.

Where ownership is uncertain or disputed, no memorial work shall proceed until the matter has been resolved to the satisfaction of the Council.

7. Memorial Safety

The Council has a legal duty to ensure memorials are safe.

The Council will therefore:

- conduct periodic memorial safety inspections
- take action where memorials are deemed unsafe
- record inspection outcomes.

Where a memorial is found to be unsafe, the Council may take such action as is reasonably necessary to protect the public, including:

- placing a temporary support or cordon around the memorial;
- laying the memorial flat;
- removing detached or dangerous components;
- carrying out temporary works without prior notice where there is an immediate risk.

Where practicable, the Council will give notice to the registered grave owner before taking non-urgent action. If the owner cannot be traced, or if the memorial presents an immediate danger, the Council may act without prior notice.

Where a memorial remains unsafe and no responsible person undertakes the necessary works within a reasonable period, the Council may remove the memorial or arrange further works and recover costs where lawful.

8. Grave Digging and Contractors

Grave excavation may be undertaken by:

- an approved contractor appointed by the Council, or
- a contractor approved by the Council.

All contractors must:

- comply with health and safety requirements
- ensure graves are excavated safely and correctly
- restore the ground following burial.

The Council reserves the right to refuse contractors who do not meet safety standards.

9. Record Keeping and Grave Plans

The Council shall create and maintain accurate burial ground records and plans, including where applicable:

- an Interment Register;
- a Register of Exclusive Rights of Burial;
- a Register of Memorial Permits;
- records of memorial inspections and safety actions;
- burial application forms and supporting certificates;
- grave location plans and section plans;
- deeds, transfer documents, assignments, statutory declarations and related correspondence.

The Interment Register shall record, as applicable:

- the full name of the deceased;
- last address;
- age;
- date of burial or interment;
- grave number and location;
- type of burial or interment;
- officiant or funeral director details where recorded.

The Register of Exclusive Rights of Burial shall record:

- the grave number;
- the name and address of the grantee;
- the date the right was granted;

- the term of the grant;
- transfers, assignments, and changes of ownership.

The Council shall keep and update an accurate grave plan showing the location and numbering of graves, cremated remains plots where applicable, and any reserved plots or sections.

All statutory and permanent records shall be retained securely and preserved permanently in accordance with legal requirements and good administrative practice

10. Burial Ground Maintenance

The Council will maintain the burial ground to a respectful standard.

Maintenance may include:

- grass cutting
- tree management
- path maintenance
- boundary maintenance.

Items placed on graves should not interfere with maintenance operations.

The Council may remove items that pose safety risks.

10.1 Floral tributes and ornaments

The Council may permit reasonable floral tributes and small ornaments, subject to these Regulations.

Unless otherwise approved by the Council:

- flowers, wreaths, containers and permitted small ornaments must be placed only within the memorial plinth, base, or designated area;
- glass items, loose chippings, fencing, kerbs, railings, edgings, solar lights, large ornaments, and other items that interfere with maintenance or present a risk may be prohibited;
- no planting of trees, shrubs, bulbs or other vegetation on graves is permitted in lawn sections unless expressly authorised.

The Council reserves the right to remove, reposition or dispose of any item that is unsafe, broken, unauthorised, or that interferes with maintenance. Where practicable, notice will be given before removal, but items posing an immediate risk may be removed without prior notice.

10.2 Notices and removal powers

The Council may remove flowers, ornaments, memorial items or other objects from graves where they:

- are not permitted under these Regulations;
- have deteriorated or become unsafe;
- obstruct maintenance;
- encroach onto adjacent graves or paths; or
- have been left beyond any permitted period.

Fresh flowers and seasonal tributes may be removed when they have withered or become unsightly. Christmas wreaths and similar seasonal items may be removed after a reasonable period.

Where appropriate, the Council may place a notice on the grave or otherwise attempt to contact the grave owner before removal. The Council may act without prior notice where this is necessary for safety, access or maintenance.

10.3 Cremated remains

The interment of cremated remains shall only take place in areas authorised by the Council and in accordance with the Council's application process and fee schedule.

The Council may specify:

- the number of cremated remains interments permitted in a plot or grave;
- the type and size of memorial permitted;
- whether plaques, vases, or other containers are allowed;
- whether scattering is permitted and on what conditions.

No scattering or burial of cremated remains may take place without the prior written consent of the Council.

11. Fees and Charges

Burial fees are determined by Barrowby Parish Council and reviewed periodically.

The Council may set different fees for:

- parish residents
- non-residents
- memorial permits.

A current schedule of fees will be published by the Council.

12. Governance

The burial ground may be overseen by a **Burial Ground Committee operating under Terms of Reference approved by the Parish Council.**

The Parish Council remains the Burial Authority and retains ultimate responsibility for:

- policy
- financial decisions
- regulatory matters.

13. Amendments to Regulations and Review

Barrowby Parish Council reserves the right to amend these regulations where necessary.

This policy will be reviewed periodically by the Parish Council to ensure continued compliance with legislation and best practice.

Document control

- **Owner:** Burial Ground Committee
- **Responsible officer:** Clerk / Proper Officer
- **Adopted:** 11.05.2026 (Minute ref: 8e [26/008])
- **Version:** 2026.1
- **Review:** Annually or earlier if legislation/guidance changes
- **Next review due:** January-March 2027 at Burial Ground Committee meeting for formal adoption at Parish Council May 2027

