



# Barrowby Parish Council

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## Compliance Pack Burial Ground Committee

This document supports the governance and administration of Barrowby Burial Ground and should be read alongside:

- Burial Ground Governance Pack
- Burial Ground Committee Terms of Reference
- Burial Ground Regulations and Management Policy
- Fees and Charges Schedule

### 1. Memorial Inspection Log Template

The following information will be recorded in the Memorial Inspection Log:

- Grave No
- Section
- Memorial Type
- Date of Installation (if known)
- Inspection Date
- Inspector
- Condition
- Risk Category
- Action Required
- Date Owner Contacted
- Temporary Safety Action Taken
- Date Resolved
- Notes

The Memorial Inspection Log must be retained as part of the Council's permanent burial ground records.

### 2. Exclusive Right of Burial Register

This register records ownership of burial plots and associated grave rights. The register must be kept permanently.

The register should include:

- Grant No
- Grave No
- Section
- Owner Name
- Owner Address
- Date Purchased
- Term of Grant
- Expiry Date
- Date Deed Issued
- Date of Any Transfer

- Name of New Owner
- Reason for Transfer
- Supporting Documents Received
- Notes

No transfer of ownership shall be recognised until the Council has completed the required checks and updated the Register.

### **3. Interment Register**

Required under the **Local Authorities' Cemeteries Order 1977**.

Registers must be preserved permanently.

The Interment Register should include:

- Grave No
- Section
- Name of Deceased
- Age
- Address
- Date of Death
- Date of Burial or Interment
- Type of Interment
- Depth
- Minister / Officiant
- Funeral Director
- Registrar's Certificate or Coroner's Order received
- EROB status confirmed
- Notes

Where cremated remains are interred, this must be clearly recorded as a cremated remains interment.

### **4. Burial Ground Plan and Grave Plans Procedure**

The Council shall maintain an up-to-date Burial Ground Plan showing:

- grave sections
- grave numbers
- pathways
- boundaries
- available plots
- reserved plots where applicable
- areas for cremated remains, if applicable
- any closed, unused, or restricted areas

The Clerk shall ensure that:

- each grave number corresponds with the registers;
- new allocations are marked promptly on the plan;
- plans are updated following each burial, reservation, or transfer affecting location records;
- any discrepancy between plans and registers is investigated and corrected as soon as practicable.

A master Burial Ground Plan shall be retained securely. Working copies may be used for administration, but the master record must remain controlled and updated.

Where possible, grave plans should be dated when amended so that an audit trail is maintained.

## **5. Records Management Procedure**

The Council shall maintain proper burial ground records to ensure lawful administration, traceability, and continuity of management.

### **5.1 Records to be kept**

The following records shall be maintained:

- Interment Register
- Exclusive Right of Burial Register
- Memorial Permit Register
- Memorial Inspection Log
- Burial Ground Plan / Grave Plans
- Applications for Burial
- Applications for Exclusive Right of Burial
- Transfer applications and supporting evidence
- Memorial permit applications
- Memorial completion certificates
- Copies of deeds / grants issued
- Correspondence relating to burial rights, memorials, inspections, disputes, and permissions
- Fee records and invoices where relevant

### **5.2 Retention**

Statutory and core burial records must be retained permanently.

Administrative records associated with burial rights, memorial approvals, transfers, and inspections should also be retained permanently where they support the legal history of a grave.

### **5.3 Accuracy and updating**

The Clerk shall ensure records are updated promptly following:

- a burial booking
- purchase of Exclusive Right of Burial
- transfer of ownership
- memorial approval
- memorial installation
- memorial inspection
- repair, removal, or alteration of a memorial

### **5.4 Storage and security**

Records must be stored securely and in a manner that protects against loss, damage, or unauthorised access.

Where records are held electronically, appropriate backup arrangements should be in place.

### **5.5 Cross-checking**

Registers, deeds, applications, memorial permits, and grave plans should be cross-checked to ensure consistency.

Any discrepancy must be investigated before authorising a burial, transfer, or memorial work.

## **6. Grave Digging Contractor Agreement**

### **6.1 Appointment**

Grave digging may only be carried out by contractors authorised by Barrowby Parish Council.

### **6.2 Contractor Responsibilities**

The contractor agrees to:

- excavate graves safely
- comply with all health and safety legislation
- ensure graves are shored where necessary
- ensure graves are safe for the funeral service
- backfill and reinstate the grave following burial

- leave the site in a tidy and safe condition
- avoid damage to adjacent memorials, paths, turf, and infrastructure
- report any damage immediately to the Council

### **6.3 Insurance**

The contractor must hold:

- Public Liability Insurance of not less than £5 million

Evidence must be provided annually and before any works are undertaken if requested.

### **6.4 Standard Grave Depths**

Typical grave depths are:

- Single burial: 1.8m
- Double burial: 2.4m
- Cremated remains: 450mm

The Council may specify alternative depths where necessary, subject to legal and operational requirements.

## **7. Memorial Mason Requirements**

Memorial masons working within the burial ground must:

- be registered with BRAMM or NAMM, or another equivalent body approved by the Council
- install memorials to BS 8415 standards
- hold public liability insurance
- obtain written approval before work
- comply with the burial ground regulations and any memorial conditions imposed by the Council

No memorial may be erected without an approved Memorial Permit.

No additional inscription, removal, refixing, or replacement may take place without prior written approval.

## **8. Funeral Director Guidance**

Funeral directors must submit:

- Application for Burial
- Registrar's Certificate for Burial or Coroner's Order
- any relevant instruction from the grave owner or person entitled to authorise burial
- payment details or confirmation of fee arrangements

Applications should normally be submitted at least 48 hours before the burial.

Funeral directors must confirm:

- grave location
- whether the grave is new or re-opened
- burial depth required
- date and time of funeral
- whether the deceased is to be buried in an existing family grave
- any special requirements

The Council reserves the right to delay or refuse a burial where paperwork, authority, or payment requirements have not been satisfied.

## **9. Burial Administration Workflow**

### **9.1 Burial Booking**

The funeral director or applicant submits:

- Application for Burial
- Registrar's Certificate for Burial or Coroner's Order
- authority from the Exclusive Right of Burial holder where applicable

- any required fee

The Clerk checks:

- grave ownership
- grave availability
- paperwork
- burial rights
- supporting authority
- fees

The Clerk may authorise burial where all requirements are satisfied and no dispute exists. Any disputed or unclear matter shall be referred in accordance with the Council's delegation arrangements.

### **9.2 Burial Administration Checklist**

Before burial is confirmed, the Clerk should check and record that:

- burial application received
- Registrar's Certificate / Coroner's Order received
- grave number confirmed
- grave available and correctly identified on plan
- EROB holder identified where relevant
- written authority received where the grave is being reopened
- fees confirmed / invoiced / paid as required
- funeral director details recorded
- date and time agreed
- grave digger instructed
- register entry prepared
- burial ground plan updated where needed
- any special instructions noted

A burial should not proceed until the administrative checklist is complete, unless the Clerk is satisfied that urgent circumstances justify action and the legal requirements are met.

### **9.3 Purchase of Grave**

The applicant submits:

- Application for Exclusive Right of Burial
- payment of the relevant fee

The Clerk:

- allocates grave
- records in register
- updates burial ground plan
- issues deed / grant of Exclusive Right of Burial

### **9.4 Memorial Installation**

The applicant or memorial mason submits:

- Memorial Permit application
- proposed inscription details
- dimensions and material details
- proof of mason accreditation
- proof of authority from the grave owner

The Clerk checks:

- grave ownership
- memorial dimensions
- memorial type and materials
- inscription details
- mason accreditation
- fee payment

If approved, a memorial permit is issued.

### **9.5 Memorial Completion Certificate**

Following installation, the memorial mason must provide a memorial completion certificate or equivalent written confirmation that:

- the memorial has been installed in accordance with the approved permit;
- installation complies with BS 8415 or the applicable standard;
- the memorial has been fixed by a suitably accredited mason;
- the grave and surrounding area have been left in a safe condition.

The Clerk shall record receipt of the completion certificate and update the memorial records accordingly.

### **9.6 Transfer of Ownership**

Applicants must submit a formal request for transfer of Exclusive Right of Burial together with the required documentary evidence.

The Clerk shall:

- check the current register entry;
- review the supporting evidence;
- confirm the applicant's entitlement;
- record the transfer when approved;
- issue updated ownership documentation if required.

No burial or memorial instruction relying on a transfer shall be accepted until the transfer has been completed and entered in the register.

## **10. Exclusive Right of Burial Transfer Procedure**

### **10.1 General requirement**

All transfers of Exclusive Right of Burial must be made through the Council and recorded in the Exclusive Right of Burial Register.

The Council shall not act on informal family requests or assumptions of ownership.

### **10.2 Transfer document checklist**

The applicant must normally provide:

- completed transfer application form
- original deed / grant certificate if available
- proof of identity and address of the applicant
- evidence of entitlement
- any probate or letters of administration where applicable
- statutory declaration where required
- payment of the relevant fee

The Council may request further evidence if there is any uncertainty.

### **10.3 Evidence where the owner is deceased**

Where the registered owner has died, the following may be required depending on the circumstances:

- original or certified copy death certificate of the registered owner
- Grant of Probate, if there is a will and probate has been obtained
- Letters of Administration, if there is no will and administration has been obtained
- copy will, if relevant
- assent or transfer document from the executor / administrator where appropriate
- proof of identity and address of the person seeking transfer

### **10.4 Where probate has not been obtained**

If probate or letters of administration have not been obtained, the Council may accept a statutory declaration where it is satisfied that:

- no grant has been taken out;
- the applicant explains the basis on which they are entitled to act;
- the names of other relevant next of kin or interested parties are identified;

- the declaration confirms that, to the best of the declarant's knowledge, no dispute exists.

The Council may still require probate or other formal evidence where the circumstances are unclear, contested, or legally complex.

#### **10.5 Statutory declaration evidence**

A statutory declaration should normally include:

- the full name and address of the declarant;
- the name of the deceased registered owner;
- the grave number and grant details if known;
- the date of death of the registered owner;
- whether the registered owner left a will;
- whether probate or letters of administration have been obtained;
- details of the declarant's relationship to the deceased;
- details of the persons legally entitled or with potential interest;
- confirmation that the information given is true;
- confirmation that there is no known dispute, or details of any dispute;
- signature before a solicitor or commissioner for oaths.

#### **10.6 Council discretion**

The Council reserves the right to:

- request additional supporting documents;
- refuse to register a transfer until satisfactory evidence is produced;
- require all entitled persons to consent;
- suspend action where ownership is disputed.

#### **10.7 Completion of transfer**

Once satisfied, the Clerk shall:

- update the Exclusive Right of Burial Register;
- retain copies of the transfer documents;
- note the date of transfer;
- issue revised ownership confirmation where applicable.

### **11. Memorial Permit and Completion Procedure**

Before a memorial is installed:

- permit application must be received;
- ownership must be checked;
- inscription and design approved;
- mason accreditation confirmed;
- fee paid;
- permit issued.

After installation:

- mason submits memorial completion certificate;
- Clerk checks paperwork is complete;
- memorial records updated;
- memorial added to inspection programme.

No memorial shall be treated as fully authorised until both the permit and completion stage have been completed.

### **12. Proper Records Procedure for Burials, Memorials and Rights**

For each grave, the Council should aim to maintain a complete file or linked electronic record containing, where applicable:

- grave number and section
- burial application(s)
- deed / grant details

- transfer documents
- burial authority documents
- memorial permit application
- memorial completion certificate
- inspection and safety records
- correspondence
- notes of any dispute, damage, or special conditions

The purpose of this procedure is to ensure that at any future date the Council can establish:

- who holds the burial rights;
- who is buried in the grave;
- what memorial is authorised;
- whether the memorial has been properly installed;
- what inspections or actions have taken place.

This procedure supports lawful administration, reduces disputes, and ensures continuity if officers or councillors change.

### **13. Burial Ground Risk Assessment**

The Council will periodically review risks associated with the burial ground including:

- memorial safety
- uneven ground
- tree safety
- contractor activity
- vehicle movements
- slips, trips and access issues
- excavation risks
- public safety during funerals and memorial works

Risk assessments should be reviewed annually and after any significant incident or change in use.

### **14. Review**

This Compliance Pack should be reviewed periodically by the Council to ensure that burial administration, records, and operational procedures remain lawful, practical, and aligned with 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