Minutes of the Burials Committee Meeting of Ockbrook and Borrowash Parish Council.

Held virtually, on Tuesday 26th January 2021, Immediately after the Contractors Committee meeting.

## Present.

Councillors M White (Chairman), J White (Vice Chairman), D Webster and A\_M Stevenson.

## Also, Present.

S Kitchener (Clerk and RFO), Councillors R Locke, T Holbrook, J Kennedy and 11 members of public.

## 198/01/21 Apologies for Absence.

No absences

## 199/01/21 Approve the Minutes of the meeting held on the 25th. November 2020.

Proposed by Councillor M White and all unanimously agreed that the minutes be approved as a true record and were signed by the Chairman at the meeting.

## 200/01/21 Variation of Order of Business.

None.

## 201/01/21 Declarations of Members Interests.

None.

## 202/01/21 Committee Items for Discussion/Action/Update.

### Review of Cemetery Rules.

These were last reviewed in 2014, Councillor M White proposed to accept the rules with no changes and all unanimously agreed. See appendix 1.

### Discuss a request for a granite edging on their plot.

From 2014 the Cemetery rules changed to only allow lawned graves, please see point 11.  **RESOLVED** All agreed that this request could not be grated, the Clerk to write to the member of public.

## 203/01/21 Date and Time of Next Meeting.

The next Burials Committee meeting will be called when it is required.

There being no further business the meeting concluded at 19.20

#### **Appendix 1**

## Ockbrook and Borrowash Parish Council

The Parish Hall, Church Street, Ockbrook, Derby DE72 3SL

**Cemetery Rules and Regulations.**

**Balmoral Road, Borrowash, Derby DE72 3FZ**

The Clerk to the Parish Council is the delegated Officer for management of the cemetery.

**Rules and regulations made by Ockbrook and Borrowash Parish Council under the Local Authority Cemeteries Order 1977 and the Local Government Act 1972- section 214 and schedule 26.**

1. **Opening Hours.**

The Cemetery is open to the public at the following times:

1st May – 30th September 8.30-19.00

1st October – 30th April 8.30-16.00

1. **Times of Burials.**

Burials may take place between 9.30 and 13.30 Mondays and Tuesdays and between 9.30 and 12.00 Wednesdays, Thursdays and Fridays, and at any other time with the permission of the Clerk and Chairman of the Burials Committee. Excluding Saturdays, Sundays, public holidays and other Local Government statutory holidays.

The time agreed for the burials must be strictly adhered to in order to avoid inconvenience to other mourners.

1. **Conduct.**

All persons must conduct themselves in a respectful, quiet and orderly manner and must not:

1. Create a disturbance
2. Interfere with any burial
3. Interferes with any grave, vault, tombstone or other memorial, or floral tribute
4. Play any game or sport on the cemetery grounds
5. Ride a bicycle or use any other recreational equipment
6. Deposit litter or spent floral tributes other than in the receptacles provided for such purposes
7. Bring animals, except dogs that are on a lead at all times and under proper control
8. Play musical instruments, operate radios or similar equipment
9. Damage plants and trees
10. **Vehicles.**

Vehicles (other than funeral cars and contractors’ vehicles) are not allowed in the Cemetery except by permission of the Clerk or a Church representative. Cycles must not be ridden in the Cemetery grounds. Mobility scooters are permitted.

1. **Plans.**

The Clerk keeps plans and records showing the situation of all the graves in the Parish Council Cemetery. Some information relating to pans and records for closed churchyards may also be kept in the Parish Office.

1. **Applications.**

Notice of interment on the prescribed form must be made available to the Parish Clerk during normal office hours, giving **at least two working days**’ notice before the intended interment.

No application for interment can be received on Saturdays and Sundays, public holidays or other Government statutory holidays.

1. **Disposal Certificate.**

No interment may take place unless a Registrars’ Certificate of Disposal or Coroner’s Order for Burial is presented, prior to burial, to the Clerk or their representative who is present at the Cemetery.

1. **Fees.**

All fees and charges are to be paid to the Clerk **before** any interment takes place except where alternative arrangements in writing have been made with the Clerk.

1. **Services.**

If any funeral service is to be conducted by a Minister or Religion/Faith, the applicant must make the arrangements. The applicant is responsible for paying the Minister’s fees.

1. **Non-Church of England (C of E) Faiths.**

Faiths other than the Church of England (and non- faiths) would normally be buried in unconsecrated areas. There is no area of unconsecrated ground within Balmoral Road Cemetery.

1. **Type of Grave.**

All graves in the Cemetery from 1st June 2014 are to be lawn type. No grave mounds, kerbs, railing, clippings or edging of any kind are permitted.

1. **Dimensions of Graves.**

The maximum permitted size of a grave shall be 8’ x 4’

The maximum depth of every grave shall be 7’ for the first of two interments.

The minimum depth of each grave shall be 5’ (single interments or re-open depth for second interment)

A body shall not be buried in a grave so that any part of the coffin containing the body shall be at a depth of less than three feet below the level of the surface of the ground adjoining the grave unless the Clerk specifically so authorises in any given case.

1. **Grave Digging.**

The responsibility for organising grave digging at the Cemetery will rest with the Funeral Director.

Small mechanical diggers may be used with permission of the Clerk.

Surplus soil shall be disposed of in the soil compound on site, or within the Cemetery grounds as directed by the Clerk.

Before interment, grave surrounds will be covered with grass mats. Webbing for lowering the surface biers will be made available for use by the Funeral Director.

Graves will be backfilled immediately after the mourners have left the graveside. Floral tributes will be gathered together and placed onto the finished grave. Tributes will be removed once spent (normally two weeks)

Ground settlement will invariably occur in the months following the burial. The Parish Clerk will regularly inspect the grave and arrange for re-levelling of the surface and turfing.

1. **Planting.**

The planting of bulbs, flowers, small shrubs, conifers or trees is allowed subject to them not being invasive. Planting is by prior permission of the Clerk.

Ornamental items, glass items and other memorabilia are not permitted.

The Parish Council reserves the rights to remove any unauthorised items, at any time, without notice being given.

1. **Scattering of Cremated Remains.**

Scattering of ashes in any part of the Cemetery is permitted upon application to the Clerk and Chairman of the Burials Committee. A Registrar’s Certificate of Disposal and the appropriate payment must accompany all applications for scattering of ashes from the Crematorium. A record of such disposal of ashes will be kept in the Parish Office.

1. **Burial of Cremated Remains.**

Caskets containing cremated human remains may be buried in separate grave 30” by 30” upon receipt of a completed Notice of Interment form, together with the appropriate fee. Double cremation plots are also available. Please contact the Parish Office for details.

1. **Exhumation of Ashes.**

The removal of cremated remains for whatever purpose, once buried, require a license for permission from the Secretary of State at the Ministry of Justice.

1. **Coffins.**

Everybody brought to the Cemetery for interment shall be in, and remain in, a coffin of traditional style constructed of wood with joints sealed and having no glass or other transparent material that could reveal the body or any part thereof. The lid and all other parts must be properly fixed and sealed before being brought to the Cemetery.

1. **Green Burials.**

Due to the layout of the Cemetery there is no area set aside for natural burials.

1. **Carrying of Coffins.**

Funeral Directors are reminded that they are responsible for the health and safety of everyone involved in a burial. The handling of the coffin should have been risk assessed in accordance with the Manual Handing Operations Regulations 1992. In particular, Funeral Directors must provide sufficient bearers to safely carry the coffin or casket from the hearse to the grave and also to lower. Training in manual handling for bearers is advisable.

1. **Memorials.**

Being the owner of the ‘Right to Burial’ does not extend to having the automatic ‘right to erect a memorial’ but the current owner of a grant to the ‘right of burial’ is the only person allowed to make an application to erect a memorial. If the grant owner is the deceased, the immediate next of kin or legal administrator can make the application on behalf of the deceased.

The grave owner is responsible for maintaining the memorial headstone. All memorials must be kept safe, and any broken or damaged memorial headstone that have become unsafe may be laid flat.

Wooden cross ‘markers’ are permitted for a temporary period of no longer than twelve months after which time they should either be replaced by a headstone or

removed by the family.

It is important to allow a new grave to settle before placing a memorial headstone on disturbed ground.

The grave owner may wish to insure the memorial against damage and vandalism.

Memorials and their inscriptions are permitted only in accordance with the following conditions and only on graves for which ‘Exclusive Rights of Burial’ have been purchased.

Written applications must be made on the forms provided and accompanied by the appropriate fees. The Clerk must grant approval before a memorial may be erected or an inspection made or added (including a statement of proposed materials).

A drawing of the proposed headstone and /or a copy of the proposed inscription and the written consent of the person(s) having **right of burial** must accompany the application.

**Materials**

Any material that will not bear continuous exposure to the weather will be rejected.

Sizes and construction must meet minimum safety requirements to ensure stability of headstones. All headstones must be fixed with a ground support system tested and approved by the National Association of Memorial Masons (NAMM)

Memorials for graves shall be restricted to the placing of a monumental vase or the erection of a headstone not exceeding a height of 4’ (including base) – base not exceeding: height of 9”, width of 30” and depth of 12”.

Memorial vases shall not exceed 10 inches square by 10 inches in height.

The number of the grave must be discreetly engraved on every memorial. The name of the firm supplying or erecting a memorial may be cut in small letters at the back of the memorial.

Memorials on plots for caskets containing cremated remains shall be of natural quarried stone (e.g. granite or marble) to be laid flat in the ground or just below ground level. Synthetic stone or plastic is not permitted.

Memorials for cremated remains plots (flat tablets) may not exceed: 18 inches square by 6 inches in height.

All memorials are to be kept in repair by the owner and if not repaired may be removed by order of the Parish Council, after serving due notice in accordance with the Local Authorities Cemetery Order 1977.

All memorials within the Cemetery will be periodically inspected as part of a continuous safety programme. This will normally be every five years. Memorials that do not present an immediate danger but may have some defects or deterioration may be inspected more frequently.

The process will consist of

1. A visual inspection
2. A manual stability test.

Stability testing will be carried out using specialist equipment. Every effort will be made to contact the owners of the memorials that have failed a stability test and offer advice on what to do next.

The Parish Council has a duty under Health and Safety Act 1972 to ensure the safety of headstones in their Cemetery.

All materials, gravestones and monuments must be conveyed into or out of the Cemetery in such a way as not to cause damage.

1. **Purchase of Grave Spaces.**

All persons must purchase the ‘Exclusive Right of Burial’ in a grave space in the Cemetery for a period of 100 years.

The appropriate fee shall be paid at the time of the reservation.

On the purchase of ‘Exclusive Right of Burial’ in a grave, a Deed of Grant shall be issued and forwarded to the Deed owner who will be duly recorded in the Parish Council Register as the legal owner.

1. **Transfers.**

On the death of the last registered owner, the rights of burial and the rights to erect a memorial cannot be exercised until such time as a new ownership had been established. The methods of transfer are complex as the grave can be said to be part of the deceased owner’s estate. Application should therefore be made to the Parish Council where they will receive help and advice on how the legal administration of the said Rights may be transferred.

1. **Opening of Graves.**

No grave in which the ‘Exclusive Right of Burial’ has been purchased shall be opened without the production of the Deed of Grant or the written consent of the owner, or his/her legal representative.

1. **Soliciting Orders.**

No persons shall distribute business cards, advertisements or solicit orders within the Cemetery.

1. **Gratuities.**

The Officers and servants of the Parish Council are not permitted to receive gratuities or commission.

1. **Maintenance.**

The Parish Council reserves the rights to maintain the grave. The Parish Council reserves the right to cut down or remove any shrub, plant or flowers which they consider in their absolute discretion to be unsightly or overgrown. The Council reserves the right to remove any container or neglected or dangerous articles or materials from any grave or plot.

Companies carrying out work in the Cemetery will be required to make good any damage or meet any claim for such damage which may be caused by them in the process of their work.

1. **Smoking in the Cemetery.**

Smoking is strictly prohibited in the Cemetery near any place where a funeral or religious service is taking place.

1. **Alterations to Regulations.**

The Parish Council reserves to itself the power to make alterations from time to time to the foregoing regulations and the schedule of fees and payments.

1. **Penalty for Contraventions.**

Any person offending against these Regulations may be prohibited from entering or working within the Cemetery in any manner whatever and for such a period as the Parish Council may, in each instance determine.

1. **Commencement.**

These rules and regulations shall come into force on the 1st June 2014 and shall have effect to cancel all previous rules and regulations made by the Parish Council.

## Ockbrook and Borrowash Parish Council

The Parish Hall, Church Street, Ockbrook, Derby DE72 3SL

**Cemetery Rules and Regulations.**

**Balmoral Road, Borrowash, Derby DE72 3FZ**

The Grave/Plot number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ will be purchased by:

Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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The undersigned agree to be responsible for ensuring that the regulations are adhered to:

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. One copy to be signed and retained by the owner/applicant
2. One copy to be signed and returned to:

Sarah Kitchener

Clerk and RFO

Ockbrook and Borrowash Parish Council

The Parish Hall

Church Street

Ockbrook

Derby

DE72 3SL

Tel: 01332 664100 / 07860 702904

Email: clerk@ockbrookandborrowashparishcouncil.gov.uk

## Ockbrook and Borrowash Parish Council

The Parish Hall, Church Street, Ockbrook, Derby DE72 3SL

**Grant of Rights to Erect and Maintain a Memorial.**

By virtue of the powers conferred by the Local Authorities Cemeteries Order 1977 (hereinafter referred to as ‘the said order’) on burial authorities constituted under the Local Government Act 1972, Ockbrook and Borrowash Parish Council (herein after called ‘the Council’) acting as burial authority constituted under the said Act in consideration of the sum of £\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ paid to the said Council by

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_( hereinafter called @the Grantee’)

**DO HEREBY GRANT** unto the Grantee the right to erect and maintain a memorial on grave number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in Ockbrook and Borrowash Parish Councils Cemetery situated at Borrowash (being a Cemetery provided and maintained by the Council) to hold the same unto the Grantee for the term of \_\_\_\_\_\_\_ years from the date hereof for the purpose of erecting and maintaining a memorial subject to the provisions of the said Order and to orders, byelaws and regulations for the time being in force with regard to the managements, regulation and control of the said Cemetery and on such terms and subject to such conditions as the Council considers proper.

It is hereby certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value of the consideration exceeds £120,000.

Given under my hand this \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_

Signed\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Designation: Clerk to the Parish Council

## Ockbrook and Borrowash Parish Council

The Parish Hall, Church Street, Ockbrook, Derby DE72 3SL

**Application to Erect A Memorial**

Name of Deceased \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of current OWNER of the grave space \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of applicant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address of Current owner \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Grave/plot number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Stone Mason \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Stone Mason address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Memorial**

Ockbrook and Borrowash Parish Council are now registered with BRAMM, all memorials are required to be erected to British Standard 8415. Any memorial fixers working under the BRAMM scheme must have a current fixer license.

Type: Headstone / Cremation Tablet / Vase.

Material: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dimensions: Headstone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Base\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Vase\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Installation Details \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please indicate if: Initial inscription / Additional inscription.

Design of Memorial Inscription

Signature of stone mason \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­

## Ockbrook and Borrowash Parish Council

The Parish Hall, Church Street, Ockbrook, Derby DE72 3SL

**Notice of Interment Form.**

Please complete **CAREFULLY** and **ACCURATELY** using **BLOCK CAPITAL.**

|  |
| --- |
| **New Grave/Plot** (purchasers’ name) |
| **Address** |
|  |
| **Pre-Purchased** (name of owner) |
| **Address** |
|  |
| Is the deceased the owner of the Exclusive Right of Burial YES/NO |
| Deed Number |
| Following the interment, the grave must be legally transferred to a **new owner**. The Clerk to the Council can help with this process. However, it is necessary to know who the legal owner is likely to be. Please compete the name and address below. For Further information contact the Clerk on 01332 664100/07860 702904 |
| Name  |
| Address |
|  Phone |
| **BURIAL DETAILS** |
| Full name of deceased Mr/Mrs/Miss/Ms Male/Female |
| Occupation Marital Status |
| Date of Death Age |
| Grave Number/interment Plot |
| Name of Grave Digger(s) arrangedGrave digging is organised by the Funeral Director for this Cemetery. |
| Date of burial/interment Arrival time at cemetery |
| Last permanent address of deceased |
| Address where death occurred |
| If a minor, please provide name and residence of parents |
| Name of Minister Contact number |
| As owner of the above-mentioned burial plot, I confirm that the details I have given are correct. |
| **CONTACT DETAILS OF GRAVE/ PLOT OWNER/ APPLICANT** |
| Name |
| Address |
| Telephone email address |
| Signature Date |
| **CONTACT DETAILS OF FUNERAL DIRECTOR** |
| Name |
| Address |
| Telephone email address |
| Signature Date |

Please make cheques payable to Ockbrook and Borrowash Parish Council.

Please show name of deceased and grave/plot number on the reverse of the cheque.