

# **MARSH GIBBON PARISH COUNCIL**

## **CLEMENTS LANE CEMETERY**

### **REGULATIONS**

**Agreed by Marsh Gibbon Parish Council**

**1 July 2020**

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### **Purpose of these Regulations**

These regulations have been compiled by Marsh Gibbon Parish Council to provide guidance for all users of its Cemetery.

The Council has taken into account and adapted the relevant sections from the Guide for Burial Ground Managers issued by the Department for Constitutional Affairs and from the Churchyard Regulations issued by the Church of England.

We aim to have a Cemetery where each user respects the right of other users. We request visitors to attend to the graves and generally behave in a way that does not intrude on others.

We wish our Cemetery to be a quiet resting place for our loved ones, where we can reflect in peaceful surroundings.

## **1. GENERAL INFORMATION**

### **1.1 Location**

Marsh Gibbon Cemetery is situated next to the Village Hall in Clements Lane, OX27 0HG.

### **1.2 Burial Authority**

The statutory burial authority and owner of the Marsh Gibbon Cemetery, responsible for its management and maintenance, is Marsh Gibbon Parish Council.

### **1.3 Access**

The Cemetery is open to the public daily.

## **1.4 Contact and Enquiries**

Please contact the Parish Clerk as below with any queries:

Carole Jackman  
1 Darley's Close  
Grendon Underwood  
Aylesbury  
Buckinghamshire HP18 0SE

Email: [clerk@marshgibbon-pc.gov.uk](mailto:clerk@marshgibbon-pc.gov.uk)  
Tel: 01296 770568

## **1.5 Code of Conduct**

When visiting Marsh Gibbon Cemetery please do:-

- be aware that a funeral may be taking place at the time;
- treat other people in the Cemetery with the utmost respect;
- treat the Cemetery, graves and memorials with respect.

When visiting Marsh Gibbon Cemetery, please do not:-

- behave in a noisy, disorderly or indecent manner or use any abusive language;
- be under the influence of drugs or alcohol;
- play any game;
- take alcohol or any intoxicating substance into the Cemetery;
- damage any tree, shrub, plant, headstone, memorial, vase, plaque, seat or any property within the Cemetery;
- ride a bicycle, motorbike or drive any vehicle other than authorised by the Council;
- obstruct anyone employed by the Council or Funeral Directors in the performance of their duties;
- allow dogs to foul the Cemetery.

## **2. BURIAL SPACES**

### **2.1 Right of Burial**

Parishioners should be aware that they do not legally own the grave they acquire for a burial. What they have is the 'exclusive right of burial' in that grave for 99 years after payment of their fee to the Council.

The exclusive right of burial may be acquired either at the time of submitting a notice of interment (please see below) or for future use. If purchased for future use then no refunds will be made in the event of the purchaser wishing to cancel the reservation.

### **2.2 Allocation of Spaces**

The allocation of grave spaces will be determined by Marsh Gibbon Parish Council. When people wish to reserve a specific space, the Council will determine whether to allow that, the fee and the space/s to be allocated. Reservation of a space for future use will normally only be allowed within one row of an existing grave. Council reserves the right to refuse an application.

### **2.3 Cemetery Fees**

Burial spaces may be acquired by current parishioners and by non-residents of Marsh Gibbon; however, non-residents are subject to paying higher fees than parishioners.

To qualify for the parishioner rate for Cemetery fees, a parishioner must be living in the village at the time of death; or they qualify if they have moved from the village into residential care or into a hospital or hospice for medical care and they die there. Everyone else is subject to the non-resident rate for Cemetery fees.

The Cemetery fees are regularly reviewed by the Council and the current rates are available from the Parish Clerk and are on the Council's website ([www.marshgibbon-pc.gov.uk](http://www.marshgibbon-pc.gov.uk)). Any interments carried out on a Saturday will be subject to a double interment charge and a double grave-digging charge.

### **3. INTERMENTS**

#### **3.1 Notice of Interment**

Prior booking is required for every interment and must be confirmed in writing to the Parish Clerk on the Notice of Interment. At least 3 working days notice must be given. This will normally be arranged through a local funeral director.

There will be no interments permitted on a Sunday.

#### **3.2 Grave-digging**

Grave-digging may only be carried out by the Council's appointed grave digger. The Parish Clerk will liaise with the funeral director over the arrangements

Backfilling of graves, after the interment, will not normally begin until mourners are making their way out of the Cemetery. Graves are left slightly mounded to allow for settlement. Flowers delivered at the time of the burial will be carefully placed on the grave upon completion of backfilling. Graves will be turfed by the grave-digger on the day of the burial. As all responsibility for work on graves rests with the Council, it reserves the right to level graves (raise or lower) for ease of maintenance. Please contact the Parish Clerk if you feel a grave needs to be levelled.

No memorial may be placed on the grave within 6 months of the burial, unless agreed by the Council.

### **4. GRAVES**

#### **4.1 Layout of Cemetery**

The Cemetery is divided into four equal sections separated by two concrete paths:

Section A (Back Right) – This is for interred remains and is full.

Section B (Front Right) – This is for interred remains and is full.

Section C (Back Left) – This section is currently in use and is for cremated remains only.

Section D (Front Left) – This is for interred remains and is the one currently in use.

#### **4.2 Personal Tributes and Care of Graves**

The Cemetery is a lawned burial ground and the Council maintains the appearance of the Cemetery by regular mowing and strimming. The planting of trees or shrubs may only be undertaken by the Council.

The Council would appreciate the removal of cut flowers, wreaths and decorations placed on the grave at the time of the burial by the bereaved six weeks after the burial. If such items are left and the grave looks neglected the Council reserves the right to remove the items and cut the grass out of consideration for others who visit graves in the Cemetery.

Thereafter, normally(\*) up to two pots of flowers in metal, wooden or stone containers may be placed on the body of the grave in addition to those on the plinth, providing they are cared for and do not extend beyond the area of the grave. The bereaved may wish to take care of the grass on the grave of their deceased themselves. Two lights(\*\*) may be placed on the grave.

For cremation tablets up to two pots of flowers in metal, wooden or stone containers may be placed at the head of the tablet, providing they are cared for and do not extend beyond the edge of the tablet.

Other memorabilia and adornments may be left on the body of the grave and the Council requests the bereaved to ensure that their memorabilia are cared for and do not look untidy. The Council reserves the right to request the removal of items it considers inappropriate at any time.

If the Council is concerned at the appearance of a grave in the context of the Cemetery or receives complaints from other users it will request the removal of the items concerned. The Council reserves the right to remove any item which may break and create a hazard and which, in its opinion, presents a health and safety risk. Such items will be removed and the next of kin informed by the Parish Clerk, who will retain them for 28 days before disposal. Next of kin who wish to recover their removed item/s from the Clerk are welcome to do so. The Council will inspect the Cemetery monthly to check on the condition of the graves and will contact the next of kin if there are concerns over a particular grave.

The Council reserves the right to amend these guidelines in the light of experience.

Notes:

(\*) allows for more on special occasions, e.g. anniversaries, birthdays, Mother's Day, Christmas etc

(\*\*) to include lantern and solar lights.

## **5. MEMORIALS**

### **5.1 Application**

All applications to erect a memorial should be made in writing to the Parish Clerk, setting out the type, size and material; and details of the inscription. This is normally done on behalf of the bereaved by the funeral director or stone mason who should consult the Parish Clerk if in any doubt as to whether there could be an issue with any aspect. It should be noted that the Council does not allow memorials in the style of open books or crosses; and that the presence of an existing memorial that does not meet the Council's current requirements may not be taken as a precedent for another exception.

The Council is concerned to maintain a degree of uniformity in the Cemetery and to ensure that its maintenance including grass-cutting is not compromised in any way.

Memorials and inscriptions (and their erection) are subject to prior approval by the Parish Council and payment of the required fee.

Memorials will not normally be permitted until at least six months after the interment to allow for the ground to settle.

## **5.2 Type**

To be a single rectangular, vertically upright slab, on a base, made of durable natural stone.

## **5.3 Size**

Dimensions not to exceed:

Headstone (portrait) - Height: 27", Width: 21", Depth: 3"

Base - Height: 3", Width: 24", Depth: 12"

*[concrete foundation (on which the base and headstone stand) should be flush with the ground]*

Cremation Tablet (portrait) - Height: 15", Width: 12", Depth: 3"

## **5.4 Additional Inscriptions**

Applications to insert additional inscriptions on memorials should be made in writing to the Parish Clerk. These are subject to prior approval by the Parish Council and payment of the required fee.

## **5.5 Empty Grave Sites**

No memorial or inscription is permitted on an empty grave site. Pre-purchased plots will be marked with a plain pavior supplied by council.

## **5.6 Maintenance of Memorials**

The responsibility to maintain a good and safe state of repair of a memorial remains with the owner. The Council accepts no responsibility for memorials or their safety or security. The memorial remains the property of the owner. If the memorial is damaged or is a dangerous state and as a result injury is caused to a third party, then the liability lies with the owner of the memorial. The council will carry out periodic Risk Assessments in the cemetery and should any memorial be found to pose a risk, will make all reasonable efforts to inform the owner. If repairs are considered necessary by the Council, notice will be sent to the owner or their representative who has the responsibility to address the identified problem. If those repairs are not carried out within three months, the Council reserves the right to arrange removal of the memorial and place it in storage for collection. If it is not collected and restored to safe condition, the Council reserves the right to give three months written notice to the owner and then to dispose of the memorial twelve months from the original notice.

# **6. MISCELLANEOUS**

## **6.1 Memorial Seats**

If you wish to discuss donating a memorial seat, please contact the Parish Clerk. The Council can arrange for the acquisition and installation of a seat subject to its prior approval of the design, material and inscription. Its location will be determined by the Council to ensure an orderly appearance to the Cemetery.

## **6.2 Rubbish**

A litter bin is situated in front of the shed in the Cemetery. Visitors are requested to use it to dispose of all their rubbish except dog waste, which should be taken to the appropriate bin in the village hall grounds.

## **6.3 Animals**

Animals are potentially disturbing to some visitors and, except guide dogs, are not allowed to be brought into the Cemetery. Dogs must be kept under control and on a lead at all times. Dog owners are requested not to allow their dog to foul the Cemetery and are required to clear up after their dogs.

## **6.4 Security**

The Council does not accept responsibility for the security of any memorial, plants, flowers, etc. placed on graves.