

**NORTH SOMERCOTES PARISH COUNCIL**

**CEMETERY RULES AND REGULATIONS**

With effect from 23 January 2024  
as agreed by Resolution of the Council on 22 January 2024

FOR THE GOVERNMENT OF THE BURIAL GROUNDS IN THE PARISH OF  
NORTH SOMERCOTES IN THE COUNTY OF LINCOLNSHIRE  
UNDER THE SAID CONTROL OF  
NORTH SOMERCOTES PARISH COUNCIL

**GENERAL NOTICE OF INTERMENT**

**Full burials must be conducted through a Funeral Director registered with an appropriate professional body.** At least 5 working days' notice should normally be given of an Interment, but shorter times may be possible where the Parish Council Stand-By is not required. Interment of ashes can be carried out by parish council staff.

**PARISHIONER AND NON-PARISHIONER**

Please note that the meaning of Parishioner for the purpose of the Parish Council's Cemetery Rules and fees, as evidenced from the Electoral Roll records, is as follows:

- A Parishioner is a current resident of North Somercotes Parish at the time of decease or
- A former resident of the Parish for at least 5 years (evidence may be requested).

**All other persons will be regarded as non-parishioners for the purpose of the Cemetery Rules and Fees.**

*Should you have any queries regarding these regulations please contact the Parish Council Clerk*

Please note that in accordance with our environmental responsibilities and biodiversity duty the display of plastic flowers and florist OASIS® (open fine-celled thermoset phenolic plastic foam) and SEC foam or Dry Floral Foam, are being phased out, and in due course will no longer be permitted.

Parish Council Clerk & Responsible Financial Officer  
Warren Studio-Warren Road  
North Somercotes-LN11 7QX  
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## 1. PAYMENT OF FEES

Fees must be received at least 3 days in advance. Fees may be sent by post or be paid into the council's bank account: sort code 08-92-99, account no. 65521579 but must be cleared/paid at least 3 days in advance. Please include name of payee and name of deceased and notify the Clerk of the payment. Telephone 07840 856098. No receipts for any monies will be valid except those officially issued by the Clerk.

## 3. TIME OF BURIAL

Burials will take place in daylight, usually not later than 3.00 p.m. The Clerk must be notified of the time of Interment and all other details by completion of the Burial Notification form available from the Clerk.

## 4. DEATH CERTIFICATE

A Registrar's Certificate or Coroner's Order for Burial must be received by the Clerk before the interment. In exceptional circumstances, with prior agreement, this may be handed to the Clerk or the person effecting the disposal at the time of Interment. Interments without the proper Certificate or Order will not be permitted (in accordance with the legal requirements of the Births/Deaths Registration Act 1953) and will prevent the interment from taking place.

## 5. ADMISSION OF VEHICLES

Please note that there are unmarked graves in the space between the Chapels and along the edges of the drive. Only cortege vehicles are allowed onto the tarmac drive. The coffin is then to be carried to the burial space. No other vehicles (other than by Council permission, for example for disabled visitors) will be allowed to enter the Burial Ground and these may not remain on the grounds longer than necessary. If any damage is done to the Council's land or premises by bringing in of materials, Memorials, or from any other cause, the person/persons causing such damage will be held responsible and liable for the same.

## 7. EXCAVATION AND REINSTATEMENT OF GRAVES

It will be the responsibility of the relevant funeral director to arrange the preparation of a grave space for coffin interment in the main cemetery area. A gravedigger with suitable experience and able to demonstrate proper risk assessment and insurance cover must be used. For the preparation of full coffin spaces, a second person acting as Stand-By must be present and shoring equipment must be used to comply with Health and Safety and excavation requirements. If the Gravedigger or Funeral Director is unable to provide a Stand-By, the parish council may be able to do so on a chargeable basis in accordance with the current schedule of fees. The funeral director may also be asked to arrange for the preparation of grave spaces for casket interment either in the main cemetery or in the Garden of Remembrance area. A body shall not be interred in a grave in such a manner that any part of the coffin is at a depth less than three feet below the level of the surface of the ground of the grave space, minimum depth of a grave shall be four foot six inches (4'6")/137cm. Nor shall the cremated remains of a body be interred in a grave in such a manner that any or part of the casket is at a depth less than one foot/30cm below the level of the ground of the grave space. It is the responsibility of the funeral director/family to ensure that the coffin is placed in the preferred orientation to comply with the existing line of memorials.

Shoring Equipment MUST be used, and mechanical diggers MUST NOT be used under any circumstances owing to the soil type and risk of collapse. Turf is to be lifted carefully and stacked, and topsoil is to be piled. On re-instatement subsoil is to be compacted as firmly as possible with topsoil and turf replaced so that the finished result is a level lawned burial ground after settlement. Re-instatement must be to the satisfaction of the Parish Council. Excess soil may be distributed around the perimeter hedge.

## 8. DEPTH OF GRAVE/BRICK LINED GRAVES

No grave shall be deeper than six feet but if the Council finds it impractical (owing to drainage or any other cause) to dig as deep as six feet, in any particular grave space, it reserves the right to specify a maximum depth to which the grave can be dug. No body shall be buried in such a manner that any part of the coffin is less than three feet below the level of the ground adjoining the grave. The Parish Council will consider requests for brick lined graves/metal caskets where space permits. The additional costs incurred must be borne by the family of the deceased.

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## 9. SITE OF GRAVES/CONSECRATION

No deviation from the current order of Burials as shown by the plan kept by the Clerk is allowed except on payment of the prescribed fee (i.e. by purchase of a specific Reserved grave space which gives an Exclusive Right of Burial for a specified space). Burial may be in consecrated or unconsecrated ground, depending on availability. Where consecrated space is not available, both the process and costs of consecrating individual plots/grave spaces is the responsibility of the family of the deceased. It is the family's/funeral director's joint responsibility to place the coffin in the preferred orientation, bearing in mind the existing line of memorials must not be deviated from – see 13 below.

## 10. EXCLUSIVE RIGHT OF BURIAL

Grants of Exclusive Right for Burial in a specific space may be purchased from the Parish Council Clerk. The request may be made either by the purchaser or their agent/a family member and the full name and address of the grant holder must be supplied. Upon receipt of the current fee (available on request from the Parish Clerk) the Clerk will issue a Grant of Exclusive Right of Burial which will be numbered and contain all relevant details of grave or ashes space(s) allocated and the name and address of the Grant holder. The Grant will remain the property of the holder and his/her successor for a period of 10 years in the New Extension Compartments four and five and the Garden of Remembrance. When the purchased grave/ashes space is to be used for a coffin burial or interment of ashes then the Grant of Exclusive Right of Burial must be surrendered to the Parish Clerk. Purchasers shall not dispose of their rights to be buried in the specific numbered space without the consent of the Council and the information provided must be read and followed.

## 11. UNUSED EXCLUSIVE RIGHT OF BURIAL GRANT

Where rights of Burial have not been exercised by the expiry date on the Grant, or a maximum period of 100 years\*, whichever is the sooner, the Grant will revert to the ownership of the council. Where any Right of Burial has not been exercised, the burial authority may, at any time after the expiration of the Grant's duration - beginning with the first day - serve notice on the owner – at the last known address (where this has been provided), unless within one month of the date of expiry, the Grant owner notifies the Council, in writing, of his/her intention to renew the Grant. \*While the duration of some previously issued Grants were stated as 'In perpetuity', in England and Scotland, grave rights are in fact defined legally as terminating after 100 years. In practice the actual graves, and memorials where they exist, commonly remain intact beyond this time frame, but with limited space now available in the North Somercotes Cemetery the Council will be reclaiming ownership of those spaces with a Right of Burial that has not been exercised within its stated duration, or 100 years, whichever is the sooner of the two.

## 12. TRANSFER OF OWNERSHIP

The Transfer of an Exclusive Right of Burial is a statutory legal process. On the transfer of ownership of an Exclusive Right of Burial in a grave or graves (owing to death or otherwise), such transfer must be legally registered, and the deed produced for endorsement, before the grave can be used by another person not named on the Grant.

## 13. MEMORIALS

Single memorials – only those with **maximum** dimensions Metric 1.2m high x 0.9m wide x 75mm deep (Imperial 48" Height x 36" Width x 3" depth) with incorporated flower vase (optional) will be permitted. Double memorials – only those with **maximum** dimensions on double plot Metric 1.5m x 0.9m x 75mm deep (Imperial 60" height x 36" width x 3" depth) with flower vase incorporated (optional) will be permitted. Flat\*\* Tablet type memorials – only those with maximum dimensions of 30cm x 30cm x 75mm deep (Imperial 12" x 12" x 3") will be permitted. Please note that it cannot be guaranteed that the placement of a memorial or monument is at the head end of the grave. In respect of all graves, a drawing showing dimensions, proposed inscriptions and a description of the proposed memorial must be forwarded to the Parish Council for approval. No Kerbing or edging stones are allowed, and no glass vases. \*\*Flat means lying recessed in the ground; that is below the level of the surrounding grass. It is generally advised that the grave be left for at least 6 months prior to installation a memorial or headstone to allow the ground time to settle. As noted above, grave rights are in fact defined legally as terminating after 100 years and this also applies to the duration of Memorials in the main cemetery, unless otherwise stated.

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## 14. NOTICE OF WORK

Headstones and Monuments must only be erected in the North Somercotes Cemetery by stonemasons registered with BRAMM or NAMM; and who provide evidence of relevant Risk Assessment & Safe System of work and legal indemnity, as they are responsible for their acts or omissions whilst in the Cemetery on Parish Council property. Three days' notice must be given to the Clerk by masons etc. before erecting any monument, and work of every description must be completed as soon as possible. A lock-down system must be used to secure any monuments to ensure that there is no movement of memorials. The current fee for erection of a memorial shall be payable to North Somercotes Parish Council through the Clerk (see current fees for details).

## 15. MAINTENANCE

The Council reserves the right to maintain the graves. The graves will be levelled, and grass seeded as required once the ground has settled, normally after 6 months but this may vary with the weather and ground conditions. No ornaments or temporary items should be left permanently by the grave and therefore any vases, pots, trinkets, monuments, or temporary crosses or other markers placed on the grave at interment will be removed by the council after 6 months. These will be stored in the Cemetery Chapel for a short period and then disposed of. The Grave owner will be responsible for arrangements and/or any charges to have any memorial refixed or repaired, including any work required caused by settlement and ground movements.

## 16. REOPENING OF GRAVES

The owner or executor shall be responsible for the removal of memorials and kerbs (if any) on the reopening of graves and replacement of same within eighteen months. The cost of removing must be borne by the owner /executor, and the Council will not be responsible in the event of a monument or stone becoming broken or damaged, lost or destroyed during such work.

## 17. DAMAGE TO MEMORIALS

The Council will not be responsible for any damage to monuments, memorials, flower vases or plaques occasioned by storms, wind, lightning, subsidence, vandalism, or any other cause. If a memorial is found to be unsafe and dangerous it will be temporarily made safe by the Parish Council. The Grave owner/family of the deceased will then be contacted if possible, to see if they would like to have the memorial refixed, or laid flat in the ground, if this is possible. The Grave owner/family of the deceased will be responsible for any arrangements and/or charges to have the memorial refixed, repaired, or laid in the ground such that it will not impede maintenance. The council reserves the right to remove any headstones or memorials considered unsafe. These may be laid flat in situ or removed to the Chapel wall/boundary fence as deemed necessary by the council.

## 18. FLORAL TRIBUTES

(a) All funeral wreaths and flowers will be left on a new grave for a period of not less than four weeks. After the four-week period has elapsed, the wreaths and flowers will be removed if this has not already been done by the family of the deceased. (b) No bushes, shrubs or plants are allowed unless in permitted monumental vases or memorials with incorporated vases. Specially designed memorials with an incorporated planting section will be allowed providing planted with small flowers only. Plastic flowers should be avoided, and will not be permitted in due course, as they deteriorate rapidly in sunlight and pollute the ground with permanent pieces of plastic as they disintegrate. Plastic and other artificial flowers will be removed if, in the opinion of the Parish Council, they become unsightly or to avoid pollution if they are breaking up. (c) The placing of memorials, plants or shrubs will NOT be allowed on those plots used for burial of cremated remains on the outside of the wall of the Garden of Remembrance except those permitted as stated below. (d) The concrete flower holder inside the Garden of Remembrance can be used by those wishing to leave a fresh floral tribute. See rule number 21 - Memorial Vases on spaces used for the burial of cremated remains for the type and size of memorials and vases which are permitted. (e) Plastic domes (containing flowers) and/or Glass vases/any other objects on graves will be removed and the council does not accept any liability for the loss of, or damage to, such items. Christmas wreaths left on the graves in the main cemetery, or inside the gravel border in the Garden of Remembrance, or outside the Garden of Remembrance will be removed usually at the end of February - or before if unsightly in the opinion of the Parish Council.

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## 19. PLANTS/SHRUBS, MEMORIALS AND TEMPORARY GRAVE MARKERS

The planting of plants or shrubs or placing of ornaments, (or any other objects) will not be allowed on any plots within the Cemetery or Garden of Remembrance. In the Garden of Remembrance, only specified size/type of plaques and memorial vases as stated in the rules will be allowed. Vases must not be fixed in place as it would prevent normal maintenance tasks and further interments from being carried out. The Council reserves the right to remove any unauthorised plaque, flower receptacle or miscellaneous items from the graves as it deems necessary, including vases that have been fixed in place. No ornaments should be left permanently along the grave length in the main cemetery or on the paving slabs/gravel in the Garden of Remembrance. Temporary grave markers will be permitted for a maximum of 6 months following burial, after which they will be removed. These should not exceed 5" x 4", inscribed with the name and date of death of the deceased, mounted such that the total height does not exceed 30cm/12". Other temporary small grave markers set into the turf which do not affect maintenance tasks may be permitted, on application to the Clerk.

## 20. VISITORS AND DOGS

All persons visiting the Cemetery should act in a responsible manner whilst on the grounds, Dogs are permitted but must be kept under control and on a leash always, and any dog mess should be bagged and removed or placed in the black bin at the gate.

## GARDEN OF REMEMBRANCE

### 21. BURIAL OF CREMATED REMAINS\*

Provision for the burial of cremated remains is made alongside the outside of the Garden of Remembrance wall and will be beneath one of two parallel alternate rows of 18" (maximum two burials per space, lower and upper space in a casket or urn) and 9" slabs (maximum one burial per space in an urn). The slabs will accommodate statutory sized memorial vase maximum dimensions Metric 18cm x 18cm (Imperial 7 inches x 7 inches only) - no variants allowed - for which permission must be sought and a formal request in writing made to North Somercotes Parish Council together with the relevant fee (see current fees). As an alternative, or in addition, a copper, brass, or other metal memorial plaque (no plastic or acrylic permitted) may be sited on the adjacent wall top. The Clerk will advise on the size of plaque that will be permitted as this will vary according to the available space. This also requires a formal application and payment of current fee. Plaques must be delivered to, and will be fixed by, the Parish Council. No burial of cremated remains will be allowed inside the Garden of Remembrance. \*Cremated remains may also be buried in the main Cemetery area, either in a new grave space or buried in an existing grave space, usually just in front of the memorial stone, if there is one. Burial of cremated remains in a new grave space is deemed the same as the burial of a coffin and attracts the same burial fee. A maximum of 4 caskets/urns can normally be interred in a main cemetery grave space - see current list of fees for details.

### 22. SCATTERING OF ASHES

The scattering of ashes inside the Garden of Remembrance will only be allowed on the grassed area for which a fee is payable to the Parish Council (see current fees). It is a Statutory offence to scatter or dispose of ashes anywhere in the Cemetery without first submitting the proper formal paperwork, and payment of the correct fee. The Clerk must be informed of the intention to scatter ashes if this is not to be carried out by the Groundsman, Clerk or Funeral Director. Scattering of Ashes in the main cemetery on existing graves may be allowed, subject to providing evidence of relationship with the person interred in that grave. Plaques inside the Garden of Remembrance for scattered ashes or those buried or scattered elsewhere, must be a standard size and made of copper, brass, or other metal - Metric 25cm x 18cm x 1.2cm, Imperial 10 inches x 7 inches x ½ inch, (no plastic or acrylic permitted). The application form and fee must be completed and received/authorised by the Clerk and the plaque then provided to the Clerk for installation. Any unauthorised/unpaid for plaques will be removed.

### 23. FLOWER HOLDERS AND PLAQUES

Flower holders are available on the grassed area inside the Garden of Remembrance should anyone wish to leave a floral tribute to those whose ashes are scattered on the grass or for those whose ashes are buried on the outside of the Garden of Remembrance wall. Fresh or plastic flowers will be removed if, in the opinion of the Parish Council, they become unsightly. Families may also have memorial plaques erected on the inside of the Garden of Remembrance wall, or on the sloping top of the wall for those buried on the outside. Only a standard sized memorial plaque in copper, brass or other metal is permitted, the dimensions of which must be 25cm x 18cm x 3mm, subject to availability of space. This requires a formal

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application to the Clerk to ensure the plaque is acceptable and payment of the relevant current fee. It is the responsibility of the deceased person's family to organise and purchase the plaque and deliver this to the Clerk, to be fixed by the Parish Council. Non-standard plaques will not be permitted and plaques which are erected by others or without payment of the required fee will be removed until the correct fee, or evidence of payment, is received. Plaques are displayed for 20 years in the first instance, but thereafter cannot be guaranteed.

## **24. RULES AND REGULATIONS**

A Register of Burials and the Scattering of Ashes will be kept by the Clerk as required by law. Searches may be made, and copies can be obtained. A fee will be charged for such searches and extracts (see current fees). The Council reserves the right, from time to time, to revise the Rules and Regulations and will review the Schedule of fees annually. These Rules and Regulations are made in conformity with, and subject to, the Local Authorities Cemetery Order 1977 and any amendment thereof.

The Parish Council will exercise its power to remove monuments and other items improperly erected in accordance with these rules, and may therefore take down and remove any gravestone, monument, tablet, plaque, vase or monumental inscription, or any other item which shall have been placed within the cemetery without their written authority.

These Rules and Regulations together with the table of current fees apply to the North Somercotes Cemetery in the Parish of North Somercotes.