



Llanharry Cemetery

Rules and Regulations

4/23/2019

Llanharry Community Council Cemetery Regulations

General

These regulations (which may be updated from time to time) are made by Llanharry Community Council for the proper management of the Cemetery but will not affect its rights and duties under general law. This is a constantly evolving document and may periodically be subject to addition/amendment/alteration.

1. Glossary of Terms

The term “Grantee” refers to the person with the exclusive right of burial and/or the exclusive right to erect a memorial.

The word “monument” or “memorial” means any object on which there is, or is proposed to be placed an inscription.

2. Persons Eligible to use the Facility

Subject to the provision of these regulations, the cemetery is available for the interment of deceased persons who resided within, or outside the area of Llanharry and Tylagarw. However, the interment of a person no ordinarily resident within this area will normally attract excess fees.

3. Bicycles

No bicycles are permitted within the Cemetery grounds.

4. Animals

No animals are permitted within the Cemetery grounds except assistance dogs and horses that may form part of a funeral cortege.

5. Filming and Photography

Filming and photography are not permitted unless by prior arrangement.

6. Damage to Infrastructure

If any damage is caused to Cemetery land, walls or premises, by any cause whatsoever, the person/persons committing such damage shall be held responsible.

7. Removal of flowers

Dead flowers, spent wreaths or other articles of waste or litter must be placed in the appropriate litterbins provided.

8. Plans and Registers

Plans and a Register of cremations and burials are kept and searches of such registers may be requested.

9. Fees and charges

The fees and charges payable by persons using the cemetery shall be those in force at that time and as amended from time to time.

All fees shall be paid on demand. Cheques should be made payable to Llanharry Community Council. Official receipts are issued in respect of all fees and charges.

Any charges accrued for the burial in/or purchase of a grave space by/or for a person who was not a resident of Llanharry and Tylagarw will accrue enhanced fees.

10. Notice of Interment

Notices of Interment must be given in writing on the prescribed form to the Clerk of the Council.

11. Period of Notice

Provisional bookings of interments are to allow three working days notice **not** including the day of booking or the day of interment (three clear working days).

For full burials all relevant paperwork must be received two *clear* working days before the day of burial.

For the interment of cremated remains all relevant paperwork is to be received one *clear* working day before the interment is to take place.

12. Permitted Times for Interments

No interments are permitted to take place before 10 a.m. or after 2.30 p.m. unless by prior arrangement. No interments are permitted on a Saturday, Sunday or Public Holiday except by prior arrangement.

General Rules and Regulations

1. Selection of grave spaces

The selection of grave spaces shall be determined by Llanharry Community Council. Plot/Grave numbers will not be issued to Monumental Masons or Funeral Directors in advance of the interment.

2. Size of Grave Space

A grave space is an allocated area of land within which a grave can be formed.

3. Excavation of Graves

All graves are to be excavated by suitably trained personnel, contracted by Llanharry Community Council for this purpose.

Grave spaces are available for single or double interments.

4. Removal of Memorials for Grave Excavation

When memorials and/or kerbs are removed for the purpose of interment they shall be removed from the cemetery. Delay in removing memorials in order to facilitate a burial may result in the burial being postponed.

Memorials shall only be erected after a suitable time has lapsed to allow for the settling of the ground and to minimise displacement due to subsidence.

Lawn type memorials will not have a permit for re-fixing or erection passed until a minimum of six months have elapsed from the time of interment.

In the case of traditional type memorials this will be twelve months.

These timescales do not apply to Cremated Remains sections.

Re-fixing of old memorials and erection of new memorials are the responsibility of the grantee.

The maintenance and repair of the memorials is also the responsibility of the grantee.

Where a memorial is deemed to be unsafe action will be taken by Llanharry Community Council. It is the responsibility of the grave owner to facilitate repairs.

5. Interference of Grave Spaces

No person other than the appointed representative of Llanharry Community Council or a person tending to a grave space which he or she is authorised to tend, shall interfere with any memorial, turf, soil border, stone tablet, vase, inscription label, flower container, number indicator, plants or shrubs in any way.

6. Condition of Grave Spaces

No glass ornaments, or glass receptacles are permitted on any grave, plot or border and Llanharry Community Council shall be at liberty of remove such items without notice.

Llanharry Community Council shall be at liberty to remove from any grave any articles, including artificial flowers or wreaths that have become unsightly or are in a poor state of repair and any flowers or wreaths that have become withered or have died.

Llanharry Community Council reserves the right to prune or remove any tree, shrub or plant whenever, in the opinion of the Council, the same has become unsightly or overgrown.

The planting of shrubs is only allowed through the permission of Llanharry Community Council.

The Council will manage the aftercare and maintenance of the Cemetery as they see fit. Under article 4 of the Local Authorities' Cemeteries Order 1977 the Burial Authority has a duty to keep a cemetery in good order and repair.

7. Coffins

Bodies for burial must normally be enclosed within a suitable coffin. In such cases where a body is brought for burial in any container other than a coffin constructed of wood, the Council shall be informed prior to the interment.

8. Exclusive Right of Burial Grave Spaces

Grants of Exclusive Rights of Burial are granted for a period of seventy years for the interment of human remains in grave spaces.

No bodies shall be buried, cremated remains interred or scattered, over any grave for which an Exclusive Right of Burial has not been granted.

A body shall be buried, or cremated remains scattered, in or upon any grave, only upon written permission of the owner of the Exclusive Right of Burial.

The owner of any Right of Burial shall not transfer the Right of Burial in any grave to any other person, except by bequeathed will or on an Assignment of Exclusive Right of Burial Form.

In the case where a grave owner has died intestate or a will cannot be found. Then the closest surviving relatives can claim Exclusive Right of Burial through the completion of a statutory declaration in which they state the reason(s) for their claim to the right of burial in the relative grave space.

Any transfer of Exclusive Right of Burial will be confirmed by letter.

An Exclusive Right of Burial does not constitute any ownership of land, it is purely the right to have a burial in a certain selected grave. The rights are granted on the understanding that the owner of those rights complies with the Cemetery Regulations. In particular such rules that are applicable to the particular type of grave and/or memorial to which the Exclusive Right of Burial relates. The purchase of burial rights is not in any way the purchase of the land in which the grave lies, it is important to be aware that the rights purchased are the rights to bury in the grave and to place a subsequent memorial.

9. Cremated Remains

- Methods of Disposal of Cremated Remains

The methods of disposal of cremated remains are as follows:

Remains may be interred in cremation burial plots or interred or scattered in or upon a family grave at the cemetery.

- Cremation Caskets

Cremation caskets are to be of a biodegradable material.

Memorials

General

Application in the prescribed form shall be made to Llanharry Community Council to place or fix anything on any grave space, plot or soil border, other than to place cut flowers or floral tributes.

No memorial or article other than as provided in the Rules and Regulations shall be permitted on any grave space, plot or soil border.

All memorials and inscriptions shall be in accordance with the Rules and Regulations and shall, in all instances, be approved by Llanharry Community Council.

Memorials shall be fixed in position only after payment of the appropriate fee as contained in the Table of Fees and Charges and on receipt of a permit.

1. Maintenance of Memorials

The costs of maintenance of all memorials including headstones, kerbs, stone tablets, vases etc and inscriptions shall be the responsibility of the applicant.

2. Responsibility for Memorials

All memorials of whatever description permitted to be erected in the Cemetery shall remain the sole responsibility of the owner thereof and Llanharry Community Council shall not be held responsible for any damage, loss or breakage, which may occur.

3. Unsafe Memorials

The renovation, repair and general upkeep of memorials within the cemetery is the responsibility of the owner of the Grant of Exclusive Right of Burial for any grave upon which any given memorial is erected. However, the Council recognises that it has a duty of care to ensure as far as reasonably practicable, the safety of employees, contractors and visitors. To this end the Council undertakes an ongoing memorial inspection programme.

4. Approved Materials

All memorials to be constructed of approved materials.

All bases for monuments shall be constructed of reinforced concrete.

5. Application to Erect a Memorial

Before the erection of any form of memorial, an application form together with a drawing with specifications and dimensions of the proposed memorial together with details of any inscription and methods of fixing must be made to Llanharry Community Council for approval.

Application must be made and approval obtained before any alteration to an existing monument, including the alteration or addition to an existing inscription.

Application and approval is required prior to the removal of any memorial from the Cemetery for any reason whatsoever.

No work shall commence until the application is approved, the appropriate fee has been paid and a permit granted.

6. Standards of Workmanship

The standards of the Code of Practice of the National Association of Monumental Masons should be adopted in the erection of all memorials.

Copies of the Code of Practice of the National Association of Monumental Masons may be obtained from:-

National Association of Monumental Masons,
Crown Buildings
High Street
Aylesbury
Buckinghamshire
HP20 1SL

All work undertaken, must be carried out in accordance with an applicable accreditation scheme (i.e. BRAMM – British Register of Accredited Memorial Masons Scheme or NAMM – Register of Qualified Memorial Fixers – RQMF) and industry code of working practice in conjunction with the Cemetery Rules and Regulations currently in force.

7. Memorials on Un-purchased Graves or Burial Plots

No monumental structure, tablet, etc shall be erected on graves or burial plots that have not been purchased, or where the Exclusive Right to erect a memorial has not been granted.

8. Wooden Crosses

No wooden crosses shall exceed three foot in height or two foot in width. Such wooden crosses shall be classed as other memorial erections in respect of these regulations.

9. Times Permitted for Masonry Work

All work carried out by Monumental Masons must take place in the cemetery between the hours of 9 a.m. and 4.30 p.m. Monday to Friday and Saturdays between 9 a.m. and 12 p.m. unless by prior arrangement.

No erection, lettering or cleaning of memorials will be allowed on Sundays, Bank or other holidays.

10. Removal of Old Memorials

Where memorials are being renewed in part or whole the original memorial or part memorial must be removed from the cemetery, the removal of which is the responsibility of the Memorial Mason/grave owner.

11. Removal of Memorials for Grave Excavation

When memorials and/or kerbs are removed for the purposes of interment, they shall be removed from the cemetery. Delay in removal of memorials in order to facilitate interments may result in the interment being postponed.

Memorials shall only be replaced after a suitable time lapse for subsidence and settling of soil has occurred, normally, not less than six months and preferably one year after the interment has taken place.

The removal and re-fixing of all such memorials shall be the responsibility of the owner.

12. Removal of Rubbish/Damage

All workmen employed in the erection of memorials, cutting of inscriptions or cleaning materials, shall at their own cost remove all rubbish and materials.

They will make good all damage, no matter how it may be caused in the execution of their work, to any adjacent grave or burial plot, any other memorial, any property of Llanharry Community Council or any other damage whatsoever.

13. Completion of Memorial Work

The erection of all memorials when commenced shall proceed from day to day until completed, or the permission for erecting or building the memorial may be withdrawn. No hewing or dressing of stone will be permitted within the cemetery.

14. Regulations Regarding Person Working in the Cemetery (Memorial Mason Disciplinary Code – Appendix B attached)

Llanharry Community Council reserves the right to prohibit any person or contractor who fails to comply with these Regulations or fails to pay the appropriate fees, from carrying out further works in the cemetery.

Llanharry Community Council operates a list of approved monumental masons. Only such monumental masons are permitted to carry out monumental works in the cemetery.

Special regulations shall apply to monumental masons who do not normally function within the area and who are carrying out work on a “one off basis”.

15. Engraving of Grave and Burial Plot Space Number

All memorial headstones, kerbs or vases whether new or refurbished (including those where an inscription is being added) shall bear the number engraved of the grave space in an appropriately prominent position and clearly visible.

All new memorial headstones shall bear the name of the monumental mason engraved in an appropriate position.

16. Area of Grave Space for Memorial Erections

Burial Plots: The area of a single earthen grave space that is allowed to be enclosed by a memorial or other enclosure in the cemetery must not exceed 7'0" length x 3'0" width.

Cremation Plots: The area of a single earthen cremation grave space that is allowed to be enclosed by a memorial or other enclosure in the cemetery must not exceed 2'0" wide x 1'0" long.

17. Regulations Regarding Memorial Specifications

This information can be found in Appendix A – Memorial Regulations 2014

18. Railing

No railing shall be placed on any grave space or cremation plot.

Memorial Regulations

General Regulations

1. Application in the prescribed form shall be made to the Council to erect, renovate or clean any memorial in the cemetery.
2. Only the registered grave owner can sign memorial applications and give permission to carry out such work. Where registered grave owners are deceased, ownership must be established using the statutory declaration guidelines. The repair and maintenance of memorials is the responsibility of the registered grave owner.
3. Current registered owners must keep all memorials to an acceptable standard. Where there is a health and safety issue due to neglect or repairs are needed, Llanharry Community Council will endeavour where possible to give prior notice of any action they intend to take to make a memorial safe.
4. All memorials erected, renovation work undertaken or additional inscriptions must comply with the following cemetery regulations and conform to the current National Association of Memorial Masons (NAMM) Code of Working Practice. Failure to do so will result in disciplinary measures being taken.
5. Memorial Masons working in Llanharry Cemetery must be accredited to a recognised accreditation scheme.
6. An Exclusive Right of Burial for a grave space must be held before authorisation to erect or renovate a memorial will be granted.
7. Where memorials are being renewed in part only, the remaining parts of that memorial must be removed from the cemetery by the memorial mason undertaking the work.
8. Memorials removed for the purpose of excavation and interment must be taken from the cemetery by the memorial mason. Delay in the

removal of memorials for such purposes could result in the postponement of the interment.

9. Memorials removed for the purpose of excavation and interment cannot be re-fixed for a minimum period of six months and, depending on ground conditions, a longer period would be advisable. In the case of "full" traditional memorials a period of twelve months is recommended. Memorial permits will not be processed until the six-month period has lapsed.
10. Memorial masons undertaking work in Llanharry Cemetery must remove all surplus materials and debris; if caused, must make good all damage to adjacent memorials, graves, or any Council property.
11. Llanharry Community Council reserves the right to prohibit any person or contractor who fails to comply with any of the rules and regulations laid out in this document, from carrying out any further work in the cemetery.
12. Memorial work of any nature cannot proceed until a permit application has been received and relevant fees paid. The application form must include the following details:
 - Name of memorial mason
 - Name, address and signature of grave owner
 - Inscription
 - Overall dimensions of memorial
 - Detailed sketch with specific dimensions inserted
 - Details of any artwork
 - Grave space number

Any omissions for the above list will result in the permit application being refused.

13. Prior to any work commencing, the Clerk must be notified.
14. All memorials, including renovations and additional inscriptions, must have the grave space number inscribed thereon and an asterisk to denote the presence of a NAMM-approved ground anchor system if

appropriate. All new memorials must be inscribed with the name of the memorial mason.

15. In keeping with the regulations, no items of any description are allowed outside of the headstone and plinth area of the grave space. Llanharry Community Council reserves the right to remove any items deemed not suitable on any section.

16. Whilst Llanharry Community Council is happy to consider all types of memorial for erection within its cemeteries, it reserves the right to accept or refuse any such application.

Memorial Sizes

Burial

Maximum height from ground level, inclusive of all foundations	3 feet – 91.44 cm
Maximum width of headstone plate	34 inches – 86.36 cm
Maximum width of memorial base	36 inches – 91.44 cm
Maximum width of foundation block	36 inches – 91.44 cm
Maximum length of memorial	83 inches – 195 cm
Maximum length of foundation	84 inches – 210 cm

A suitable bearer slab to be fixed underneath foundation block.

All memorials erected must comply with the current NAMM Code of Working Practice.

In order to comply with the NAMM Code of Working Practice the minimum size of foundation block must be:-

36 inches x 15 inches x 3 inches – 91.44 cm x 38.1 cm x 7.62 cm

The Council will accept this with a bearer slab of:-

42 inches x 18 or 15 inches x 2 inches – 106.68 cm x 38.1 cm x 5.8 cm

Alternatively, a lawn foundation block of:-

32 inches x 14 inches x 4-6 inches (dependent upon ground conditions)
81.28 cm x 35.56 cm x 10.16 – 15.34 cm with a bearer slab of:-

42 inches x 18 or 15 inches x 3 inches can be use. 66.68 cm x 45.72 cm x 7.62 cm.

As laid down in the NAMM Code of Working Practice, all pre-cast concrete foundations must be reinforced to the British Standard.

Where applicable, traditional memorials must be erected in accordance to the current NAMM Code of Working Practice and pinned where necessary.

Cremation Sections

Headstone Plate	
Maximum height	27 inches – 53.34 cm
Maximum width	21 inches – 53.34 cm
Maximum thickness	3 inches – 7.62 cm
Memorial Base	
Maximum width	24 inches – 60.96 cm
Maximum depth	12 inches – 30.48 cm
Maximum thickness	3 inches – 7.62 cm
Foundation Base	
Maximum width	26 inches – 66.04 cm
Maximum depth	15 inches – 38.1 cm
Maximum thickness	3 – 6 inches – 7.62 to 15.24 cm (dependent upon ground conditions)

All secondary memorial work (additional inscriptions, renovations and re-fixing) must comply with the current NAMM Code of Working Practice.

Appendix B

Llanharry Community Council Memorial Mason Disciplinary Code

All memorials to be erected in Llanharry Cemetery must be approved by the Clerk.

All applications will show all necessary details. i.e.

- Size of memorial and foundation
- Materials to be used
- Method of fixing
- Inscription
- Detailed drawing of proposed memorial

All memorial work must comply with the current NAMM Code of Practice.

No work can be carried out unless the application has been passed.

All work must be undertaken in accordance with the applicable accreditation scheme and industry code of working practice in conjunction with the Cemetery Rules and Regulations currently in force.

Complete memorials will be checked to ensure that there are no breaches of cemetery regulations such as:-

- Memorial on wrong grave
- No number/asterisk/memorial mason's name on stone
- No bearer foundation slab
- Memorials not removed from cemetery prior to burials
- Memorial fixed out of line

If any memorial has been fixed with any of the above faults, the memorial mason concerned will receive a letter, giving seven days to rectify the fault.

If the correction has not been made within this time span, Llanharry Community Council will suspend any further applications from the memorial mason concerned, until the matter has been resolved.

If Llanharry Community Council has cause to repeatedly send letters to rectify breaches of the regulations to the same memorial mason, they will then be subject to a six-month probationary period.

Any further breach of regulations during this period will result in a total ban from working in Llanharry Cemetery.

Certain incidents shall be considered as acts of gross misconduct, which could result in the memorial mason concerned incurring an immediate ban from Llanharry Cemetery.

The following are examples:

- Fixing a memorial without paying necessary fees
- Fixing a memorial which has not been passed by the council
- Refusing to rectify a fault with a memorial when requested
- Abusive or aggressive behaviour

Right of Appeal

Any monumental mason unhappy with the decision taken against them will be entitled to appeal against the decision by writing to the Chairman of the Council.