

BACTON PARISH COUNCIL

CEMETERY REGULATIONS

Effective from 1 April 2026

These regulations apply to Bacton Cemetery and are intended to set out, in simple language, how the Cemetery is managed and the requirements that apply to anyone using the Cemetery.

Bacton Parish Council seeks to present this information in a way that can be understood by everyone who reads it. If you require assistance to understand these regulations or how they affect you, please contact the Parish Clerk. A large-print copy of this document is available on request.

These regulations take effect from **1 April 2026** and supersede all previous regulations relating to Bacton Cemetery, without prejudice to anything done under those previous regulations.

The Council reserves the right to review and amend these Cemetery Regulations from time to time.

1. INTRODUCTION

These regulations have been prepared by Bacton Parish Council, referred to throughout as **“the Council”** or **“we”**.

Every effort has been made to respect the rights and choices of individuals. The regulations seek to balance:

- the rights of bereaved families and others to pay their respects and remember their loved ones; and
- the expectations of the wider community for a well-managed public amenity that provides a peaceful and respectful environment.

The Council is the burial authority responsible for the management, regulation and control of Bacton Cemetery.

The Parish Clerk and Cemetery Warden are authorised by the Council to administer these regulations and to take reasonable steps to ensure that they are observed.

For the purposes of these regulations, **children are persons aged 12 years and under.**

The Council operates the Cemetery in accordance with the **Local Authorities' Cemeteries Order 1977**, as amended, together with any other relevant legislation and regulations.

2. CONDUCT WITHIN THE CEMETERY

The Cemetery is a place for quiet reflection and remembrance. Visitors are asked to behave respectfully and to consider the needs of other visitors.

Visitors must not:

- stand, sit or lean on headstones or other memorials;
- wilfully interfere with any grave, burial, headstone, memorial, flowers or other items placed in the Cemetery;
- cause a disturbance or nuisance;
- cycle within the Cemetery; or
- undertake any activity that is inconsistent with the quiet and respectful nature of the Cemetery.

Photography or filming during a funeral must not take place without the express permission of the relatives concerned.

Children must remain under the care and supervision of an adult or responsible person.

Dogs are permitted in the Cemetery provided that they are kept on a short lead and under proper control. Dog owners are responsible for removing and disposing of dog waste appropriately.

The Council reserves the right to:

- close or restrict access to the Cemetery, or part of it, where necessary for safety, maintenance, funerals or other legitimate purposes; and

- withdraw permission for any person or organisation to use the Cemetery where this is necessary for the proper management of the Cemetery.

3. FEES, CHARGES AND INSURANCE

All fees for interments and applications relating to headstones or other memorials must be paid at least seven days in advance unless otherwise agreed by the Council.

Cemetery fees and charges are reviewed annually and are published on the Bacton Parish Council website.

The Council requires all Funeral Directors, stonemasons and grave diggers working within the Cemetery to hold appropriate public liability insurance.

The Council may request evidence of such insurance before work is permitted and may request updated evidence from time to time.

Grave diggers must provide appropriate and current risk assessments when requested by the Council.

4. EXCLUSIVE RIGHT OF BURIAL

At the time of an interment, the purchaser will be asked to acquire an **Exclusive Right of Burial (EROB)** in a grave for the period specified by the Council.

The purchase is subject to payment of the appropriate fee and completion of the relevant application. The person named on the Grant of Exclusive Right of Burial becomes the registered holder of that right.

An Exclusive Right of Burial does not give ownership of the land itself. It gives the registered holder the right, subject to these regulations and the Council's requirements, to:

- be buried in the grave, where space is available;
- authorise further burials in the grave, where space is available;
- authorise the interment of cremated remains in the grave, where permitted;
- apply for permission to place a headstone or memorial on the grave; and
- apply for permission for an inscription or additional inscription on an approved memorial.

The Exclusive Right of Burial for burial and cremation plots is currently granted for **25 years**.

The right may be extended for a further 25 years, subject to the appropriate fee and any regulations or restrictions applying at the time.

No more than four joint owners may be registered for an Exclusive Right of Burial.

An Exclusive Right of Burial may not be transferred without the required documentation being completed and the appropriate fee being paid.

If it is not practicable to complete an immediate transfer following the death of the registered holder, the person signing the notice of interment as the owner of the right shall indemnify the Council against claims arising from that representation, subject to applicable law.

If the registered holder dies without leaving their right by will, the right may be transferred to the appropriate person on production of satisfactory evidence, which may include:

- Letters of Administration;
- Grant of Probate;
- a statutory declaration; or
- other evidence reasonably required by the Council.

Where a Grant of Probate has been issued, the Council will normally transfer the right in accordance with the probate documentation and any subsequent evidence of entitlement.

The registered holder is responsible for notifying the Council of any change of name or address.

When the period of the Exclusive Right of Burial expires, the registered holder, or their lawful successor, may apply to renew the right, subject to the applicable fee and regulations.

An expired Exclusive Right of Burial must be renewed, and any required fees paid, before a further interment or the placing of a new memorial can be authorised.

The Council should be contacted within 12 months of the expiry of the right if renewal is intended.

If the Council has not been informed of an intention to renew an expired right, the Council may consider granting a new right in accordance with the law and its cemetery procedures. Where reasonably possible, the previous registered holder or their personal representative will be contacted before this is done.

Before a grave subject to an Exclusive Right of Burial is reopened, satisfactory evidence of ownership of the right must be provided.

A **public grave** is a grave in which no Exclusive Right of Burial has been granted. No exclusive memorial rights exist in respect of a public grave and no memorial may be placed on it without the Council's prior written permission.

5. ARRANGING A BURIAL

Applications for burial must be made through the Parish Clerk.

A completed Notice of Interment must be received by the Parish Clerk at least **48 hours before the proposed interment**, excluding Saturdays, Sundays and bank holidays.

Arrangements made by telephone must be confirmed in writing within 24 hours.

Interments normally take place Monday to Friday between **9.35am and 3.55pm**, subject to seasonal arrangements and availability.

The Council may permit an interment outside these hours at its discretion and subject to prior approval and any additional fee.

The Council will not reopen a grave subject to an Exclusive Right of Burial without satisfactory written authority from the registered holder, unless the burial is that of the registered holder.

The Council must be provided with satisfactory evidence of the Exclusive Right of Burial before a grave is reopened. If the deed has been lost or mislaid, the Council may require a statutory declaration or other satisfactory evidence.

The Registrar's Certificate for Disposal or Coroner's Order for Burial must be provided to the Council before a burial can take place.

Where applicable, the Council will require the appropriate certificate from a Medical Practitioner, Midwife or Nurse for the interment of a non-viable foetus.

Graves will normally be allocated in strict rotation unless the Council agrees otherwise.

The Council will normally excavate graves to the maximum appropriate depth available. For new graves, the Council will initially aim to excavate to approximately **2 metres (6.6 feet)** where ground conditions permit. This is intended to allow for two interments.

The Council cannot guarantee that a grave will accommodate the maximum number of interments where ground conditions, drainage, safety requirements or other circumstances prevent this.

Where an oversized grave is required, the Council reserves the right to charge the applicable fee for two grave spaces.

The Council reserves the right of access over graves where reasonably necessary for the excavation, reopening, maintenance or management of the Cemetery.

A grave may be temporarily covered during excavation or while work is being undertaken. Temporary covering may include suitable boarding, a platform or similar safe method.

The Council reserves the right to temporarily remove or move a headstone or memorial where this is reasonably necessary to provide access to a grave. Where this occurs, the Council will take reasonable care and will reinstate the memorial and tidy any neighbouring graves disturbed by the work as soon as reasonably practicable.

All bodies presented for burial must be contained in a suitable secured coffin or suitable wrapping permitted by law and appropriate for burial. The coffin or approved wrapping must be clearly identified with the full name of the deceased and other information reasonably required by the Council.

The Funeral Director or person arranging the funeral is responsible for providing sufficient bearers to carry the coffin from the hearse to the grave or burial plot, whether or not mourners are present.

During a funeral, or immediately beforehand, the Council may exclude persons who are not mourners or who are not officially connected with the funeral where this is reasonably necessary.

The Council keeps plans and records of graves, which may be inspected by arrangement with the Parish Clerk during normal office hours.

6. INTERMENTS, GRAVE BACKFILLING AND REINSTATEMENT

The Funeral Director or person arranging the funeral is responsible for ensuring that, following the interment, the grave is properly backfilled and left in a safe, tidy and appropriate condition.

The grave must be **reasonably level with the surrounding ground** and suitable for continued maintenance as part of the lawn cemetery.

The Funeral Director or person arranging the funeral shall be responsible for removing all surplus soil from the cemetery, or as otherwise agreed with the Council. There is no facility for the disposal of soil in Bacton cemetery

Graves may naturally settle following an interment. Where significant settlement occurs, the Funeral Director or person arranging the funeral is responsible for arranging for the grave to be made reasonably level again, as reasonably required by the Council, so that it remains suitable for maintenance as part of the lawn cemetery.

The Council may inspect a newly backfilled grave and may notify the Funeral Director or person arranging the funeral where remedial work is reasonably required.

Any remedial work must be carried out in consultation with the Parish Clerk or Cemetery Warden and in accordance with reasonable instructions given by the Council.

Where the responsible person fails to carry out required remedial work within a reasonable period after being notified, the Council may arrange for the necessary work to be undertaken and may seek to recover any reasonable costs incurred, where permitted by law and the applicable terms and conditions.

Nothing in this section prevents the Council from carrying out necessary works itself where this is required for health, safety, access, grounds maintenance or the proper management of the Cemetery.

7. HEADSTONES AND MEMORIALS

No headstone or memorial may be installed, altered or replaced without the prior written permission of the Council.

An application must be submitted using the Council's prescribed form and must include all information reasonably required by the Council.

Work must not commence until written approval has been issued.

All memorial work must comply with these regulations and with the current requirements of the **National Association of Memorial Masons (NAMM)** or the **British Register of Accredited Memorial Masons (BRAMM)**, where applicable.

The Council reserves the right to refuse an application where the proposed memorial or inscription is considered inappropriate for the Cemetery or does not comply with these regulations.

The Council may require unauthorised or non-compliant work to be removed or corrected and may seek to recover reasonable costs incurred.

All headstones and memorials must be erected in accordance with the applicable current BRAMM or NAMM Code of Practice.

The holder of the Exclusive Right of Burial is responsible for ensuring that the memorial remains safe and in good condition.

The Parish Clerk or Cemetery Warden may require a memorial to be repaired, made safe or removed where it presents a danger or has become unsafe or seriously dilapidated.

The Council requires a period of **12 months** for the ground to settle before a headstone or memorial is normally installed.

For the interment of cremated remains, a memorial may be installed sooner at the discretion of the Council and with the appropriate written permission.

Only granite, marble, slate or another suitable durable and sound material may be used for a headstone or memorial.

Alternative environmentally sustainable materials may be considered where appropriate, subject to prior written approval from the Parish Clerk.

Only headstones and memorial stones are permitted.

Kerbs, surrounds, railings, stone or other chippings, statues, sundials, bird baths, portraits, wind chimes, windmills, candles, trees, shrubs, photographs, holograms, laminated cards, seats, lights, toys, horizontal ledges, slabs or other items not specifically permitted by these regulations are not permitted.

Anything placed or erected without the Council's prior permission may be removed and disposed of by the Council, and reasonable costs may be recovered from the person responsible or the registered grave owner, where appropriate.

In the case of the burial of an infant or child, the Council may, at its discretion and for an agreed period, permit appropriate child-related mementoes. Families should discuss this with the Parish Clerk before placing such items.

Headstones must not exceed **1 metre in height above ground level**, with a base not exceeding **800mm x 400mm**.

Memorial stones must not exceed **450mm in height** or **450mm in width** above ground level.

The stone must be of sufficient thickness, normally at least **75mm**, to provide appropriate strength and stability.

The foundation must be installed so that its top surface is flush with or below the surrounding ground level.

The stonemason's grave number and, where applicable, an anchor symbol indicating that a ground anchor has been fitted, must be permanently marked on the memorial in an approved and visible position.

Any memorial removed to allow a further interment or for refurbishment must only be removed with the Council's knowledge and approval.

On reinstatement, the memorial must be fixed in accordance with the applicable current BRAMM or NAMM requirements, including replacement or upgrading of fixings where required.

All headstones and memorials remain at the owner's risk.

The Council is not responsible for damage to or loss of a memorial except where the Council is legally responsible for such damage or loss.

Memorials must be kept in good repair and in a safe condition by or on behalf of the registered owner, at the owner's expense.

Owners are strongly advised to obtain appropriate insurance, including third-party liability cover, for memorials.

8. MAINTENANCE OF GRAVES AND MEMORIALS

The holder of the Exclusive Right of Burial is responsible for ensuring that any headstone or memorial on the grave is maintained in a safe and satisfactory condition.

The Council is responsible for the general maintenance of the Cemetery grounds and lawn areas, subject to the provisions of these regulations.

The Council is not responsible for maintaining or repairing privately owned memorials.

If the Council considers a headstone or memorial to be unsafe, unstable or seriously unsightly, it may notify the registered owner and require appropriate remedial action.

Where the owner cannot reasonably be identified or contacted, a notice may be placed on the grave or memorial and will be treated as reasonable notice.

Where an urgent safety issue exists, the Council may take immediate temporary action to make the memorial safe.

For non-urgent repairs, the owner will normally be given a reasonable period to undertake the required work.

If the required work is not carried out within the period specified by the Council, the Council may take appropriate action in accordance with its legal powers and these regulations and may seek to recover reasonable costs where permitted.

The Council may remove any item that has been placed on a grave without the Council's prior approval and may seek to recover reasonable associated costs.

No person may remove, alter or disturb a headstone, tombstone, monument or memorial inscription without the Council's prior consent.

If protective banding, barriers or other safety measures have been installed around an unsafe memorial, they must not be removed until the Council has confirmed that the memorial has been made safe.

9. TRIBUTES AND FLOWERS

A maximum of four wreaths or other tributes associated with religious festivals may be placed on a headstone or memorial for a period of up to 14 days before and 14 days after the relevant celebration.

After this period, the Council may remove and dispose of any remaining items.

Tributes should be placed only on the headstone or memorial stone unless the Council has specifically agreed otherwise.

The Council reserves the right to remove and dispose of flowers, plants, floral tributes, wreaths or other items placed on the grave space where they are considered to have deteriorated, become unsightly, interfere with maintenance or otherwise breach these regulations.

Families are encouraged to remove flowers and wreaths when they have deteriorated. Council staff may remove deteriorated items as part of routine Cemetery maintenance.

Balloons are not permitted within the Cemetery.

Vases must not be placed on or sunk into the grassed grave area where they could interfere with mowing, create a hazard or damage maintenance equipment.

10. RIGHT OF APPEAL

If you are unhappy with a decision made in relation to Bacton Cemetery, you may appeal in writing to the Parish Clerk.

The appeal should clearly explain the decision being appealed and the reasons for the appeal.

The Parish Clerk will arrange for the appeal to be considered by a panel of three Parish Council Members who have not been directly involved in the original decision, where reasonably practicable.

The appellant will normally be notified of the outcome within **21 days of the appeal being considered**, or will be advised if further time is required.

The Council's appeal procedure does not prevent a person from exercising any statutory right of review, complaint or appeal that may be available to them.

11. ADMINISTRATION AND REVIEW

These regulations will be reviewed by the Council as required and may be amended to reflect changes in legislation, guidance, Cemetery management requirements or Council policy.

Any revised regulations will be made available through the Council's normal communication channels.

For further information or assistance with these regulations, please contact:

Parish Clerk
Bacton Parish Council
Meadow View
Oak Farm Lane
Mendlesham
IP14 5TE