

## **NORTH LEIGH PARISH COUNCIL**

Allison Leigh  
Parish Clerk  
26 Eaton Village  
Eaton, Oxfordshire OX13 5PR  
Tel: 07796 039 496  
Email: [parishclerk@northleighparishcouncil.gov.uk](mailto:parishclerk@northleighparishcouncil.gov.uk)

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### **Regulations for the Use and Maintenance of the Cemetery, Church Road, North Leigh**

North Leigh burial ground is owned and maintained by North Leigh Parish Council and is for the use of parishioners for their burial.

Any reference to the Parish Council means North Leigh Parish Council and shall also mean any person or persons authorised by the Parish Council to act on its behalf.

Any reference to a “monument” shall include a memorial stone, cross, tablet, vase or other similar item intended for siting on a grave.

#### **1. Contact Details**

1.1 All funeral bookings, general enquiries and comments regards the Cemetery should be directed to the Clerk using the above contact information.

1.2 These regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate regulations currently in force.

#### **2. Admission to the Cemetery**

2.1 Admission to the Cemetery shall be allowed daily between sunrise and sunset. No person is permitted to be in the Cemetery outside of these times without the express permission of the Clerk.

2.2 The Cemetery is a place of peace and quiet reflection, but also a workplace. Visitors to the site are welcome, but please respect the special nature of the site, the needs of other users and safety factors. No games, sports, riding of bicycle, skateboards, roller blades or similar are allowed in the cemetery.

2.3 Any person creating a nuisance or a disturbance, such as interfering with a funeral, grave, memorial stones, flowers, trees, etc will be required to leave the cemetery immediately and may be the subject of subsequent legal action.

2.4 Children under the age of 14 are welcome in the cemetery but must be supervised by a responsible adult.

2.5 No person shall sit, stand or climb upon or over or cause damage to any monument in the Cemetery, nor to any gate, wall or fence in the Cemetery.

2.6 No dogs are permitted in the Cemetery with the exception of Guide Dogs, Hearing Dogs or other recognised Assistance Dogs or with the express permission of the Clerk. Such dogs must be kept on a lead.

2.7 No carriage, bicycle or vehicle of any kind shall be driven (with the exception of assistance vehicles) or taken from the access road or parking area onto any verge or other grassed area of the Cemetery without consent of the Parish Council and shall not remain in the Cemetery longer than is necessary to enable the person to conclude his or her visit to the Cemetery. No carriage, bicycle or vehicle of any kind shall be allowed to remain in the Cemetery between sunset and sunrise on any day without the consent of the Parish Council. The Parish Council shall have the right to remove any such vehicle so remaining within the Cemetery without the said consent. All vehicles when not in use within the Cemetery shall be parked in designated parking areas and in such a manner as not to cause obstruction to other vehicles or pedestrians.

2.8 No consumption of alcohol or illegal substances may take place within the Cemetery and anybody under the influence of such substances will not be admitted.

### **3. General regulations**

3.1 No employee of the Council is allowed to take any gratuity or to undertake paid private work of any kind in connection with the Cemetery either in their own time or during their employed hours.

3.2 No person shall canvass or solicit business in the burial ground.

### **4. Exclusive Right of Burial**

4.1 The Exclusive Right of Burial in a grave space may be purchased. The aforesaid exclusive right shall be for a period of 50 years from the date of purchase.

4.2 The purchaser or owner of Exclusive Rights of Burial shall register every transfer with the Parish Council and any costs shall be at the expense of the applicant. There may be up to 4 owners of a single grave.

4.3 Upon death of the owner of the grave space, the grave space must be transferred. To transfer the grave space for any reason, please contact the clerk.

4.4 Prior to any second or subsequent interment in a purchased grave, the Deed of Grant must be produced to the Clerk, with the notice of interment, and the written consent of the owner, unless the burial is for the owner.

4.5 After death the Exclusive Right becomes part of their estate and can be assigned by their executor to someone else. The executor will need to contact us to arrange a legal transfer of ownership before the grave can be opened again or to be granted approval for a memorial stone.

4.6 Grave spaces may be reserved by contacting the Clerk. The Council will allocate the actual grave plot and grant Exclusive Rights of Burial when it receives a completed Notice of interment at which time payment will be taken.

Note: It is advisable for the owner of the right to a grave to make provision for the right in his/her will. Where there is no probate North Leigh Parish Council can arrange transfer by statutory declaration.

### **5. Grave spaces**

5.1 The grave spaces and cremation plots for first interments will be selected by the Parish Council in the appropriate portion of the Cemetery. In the case of a second interment in a purchased grave space or cremation plot, the written consent of the owner will be required.

5.2 The purchaser of the exclusive right of burial will be furnished on payment of the prescribed fee with a Deed of Grant of the same.

## **6. Booking of interments**

6.1 A provisional booking for a funeral may be made by telephone or email to the Council.

6.2 The provisional booking should be followed by the submission of a completed Notice of interment, Certificate of Burial and payment should be delivered to the Parish Council at least three working days previous to the day of interment. The Notice of Interment on the official interment form provided by the Parish Council and particulars must be clearly and completely stated including the fee determined by the Parish Council at that time.

6.3 The responsibility for any error therein is that of the person signing the notice, particularly so in cases where wrong fees are charged in consequence or where additional fees are afterwards thereby incurred.

6.4 No notice can be received on a Sunday or public or bank holiday.

## **7. Payment of Fees and Charges**

7.1 The council will produce a scale of fees and charges annually.

7.2 All fees and charges for interments shall be paid at the time of interment. The scale of charges and fees for parishioners and non-residents are shown on a separate schedule.

7.3 The normal scale of fees applies where:

- a person interred, or in respect of whom the Exclusive Right of Burial is granted, is an inhabitant of the Parish of North Leigh; OR

- immediately before his/her death was an inhabitant of the Parish of North Leigh; OR

- who had been an inhabitant until health or infirmity caused the person to leave the village to be cared for in a care/nursing home or by relatives and friends.

7.4 The term inhabitant shall be interpreted to include a person who at the time of death, or sometime during six months immediately prior to death, resided in the Parish of North Leigh or, in special circumstances, at the discretion of the Parish Council. Proof of residency may be requested.

7.5 For non-residents, all cemetery fees and payments will be two times the normal scale. Payments may be made via bank transfer or by cheque. Cheques shall be made payable to "North Leigh Parish Council."

## **8. Excavation of Graves**

8.1 The person making the arrangements for the interment will be responsible for excavating the grave to the required depth, for back filling following the interment and subsequently turving over to give a level surface. No other person will be permitted to undertake any excavation except with express permission of the Clerk. The person making the arrangements for the interment must confirm the date and time of excavating with the clerk. The time of excavation shall be no more than 3 days prior to burial.

The excavation to the required depth (to be obtained from the clerk) shall be completed by sunset on the day preceding the interment, excluding Sunday or public or bank holiday.

8.2 The person making the arrangements for the interment shall be responsible for the provision of all necessary temporary planking and strutting, boarding over (when excavation or backfilling is not proceeding) and any such other safety precautions as the Council may direct. That person shall fully comply with all relevant aspects of and be responsible under the Health and Safety at Work etc. Act, 1974 and associated regulations and orders and shall be responsible for any person working at the Cemetery under his direction, order or control.

8.3 The first burial in any plot shall be at a depth of not less than 2.1 metres (6ft 11 ins) and the second burial at a depth of not less than 1.6 metres (5 ft 3 inches). When a grave is re-opened for further burial, offensive soil must not be removed and a minimum of 0.15 metres (6 inches) of soil must be left between coffins.

8.4 Notification of the desire to have greater than single depth grave must be made at the time of the 1<sup>st</sup> interment. This is for full burials as well as ashes.

## **9. Cremated Remains.**

9.1 Cremation plots may be purchased.

9.2 Urns or receptacles containing cremated remains may be interred in private graves subject to the regulation relating to the re-opening of such graves and the payment of the prescribed fee.

9.3 On payment of the prescribed fee, cremated remains may be scattered beneath the surface of a grave, subject to the decision of the Clerk or other authorised officer as to the suitability of the grave for this purpose.

9.4 The certificate for burial of the ashes issued by the Registrar of the Crematorium must be produced to the Clerk or other authorised officer before the interment or disposal takes place.

9.5 Cremated remains may not be disposed of on the surface of any grave, or elsewhere in the Cemetery.

## **10. Vaults etc.**

No brick graves or vaults shall be allowed.

## **11. Coffins**

Coffins or caskets of wood or wood products only shall be used in graves except with the prior approval of the Parish Council.

## **12. Mounds and Surplus Soil**

Surplus soil and stone excavated from any grave is to be removed. Soil piles should be covered to help prevent them getting wet, especially those with clay, and subsequently drying out.

Soil should be backfilled at about 12" at a time and then tamped down to fill all voids to minimise sinkage. Soil can be mounded up to 12" on top of the grave initially to mitigate the effects of unavoidable sinkage. After a few months this can be levelled out and the turves replaced or the grave seeded.

The Parish Council reserves the right to carry out, and charge for, any further works of reinstatement which may become necessary at a later date resulting from settlement so as to facilitate maintenance of the site.

### **13. Burial Service**

Arrangements for the conduct of any burial service shall be the responsibility of the relatives or legal representative of the deceased who shall inform the Parish Council of the name of the Minister or other person conducting the interments at the cemetery and the name of the funeral director at least 24 hours before the service.

### **14. Hours of Interment**

14.1 The hours of interments (for all denominations) are as follows:

- Monday to Friday from 09:30 to 15:30 hours.
- No interment shall take place outside the above-mentioned hours or on a Saturday without written authority of the Parish Council or on a Sunday, Good Friday, Christmas Day or public or bank holiday except in the case of a special emergency which shall require the written authority of the Parish Council.

14.2 The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service.

### **15. Monuments**

15.1 Only memorial stones, crosses, tablets or vases made of wood or natural stone or other suitable natural material will be permitted on burial plots and only tablets of natural stone will be permitted on cremation plots.

15.2 Before the erection of any headstone, cross, tablet or vase or other structure, a detailed drawing and description thereof giving details of size, type and finish of stone or wood to be used and the inscription including type and size of lettering and/or symbols to be put thereon, together with a signed authorisation from the owner, shall be sent to the Parish Council for approval, along with a signature from the owner of the grave, and whose decision shall be final. No monument of any kind shall be erected in the Cemetery, nor shall any additional inscription be made to any existing memorial, without written consent having been obtained from the Parish Council after payment of the appropriate fees and charges. No liability shall be accepted by the Parish Council for orders placed before approval was obtained.

15.3 All memorial masons must adhere to BS8415.

Monuments shall be restricted to memorial stones and such memorial stones shall not exceed the following dimensions:

For full burial plots:

Height:	maximum 0.9 metre (36 inches)
Width:	0.6 metre (24 inches)
Thickness:	minimum 0.05 metre (2 inches)
	Maximum 0.10 metre (4 inches)

15.4 Tablets for cremation plots shall not exceed the following dimensions:

Length: 0.45 metre (18 inches)

Depth: 0.45 metre (18 inches)

Height at rear: 0.10 metre (4 inches)

Height at front: 0.05 metre (2 inches)

15.5 The back of a memorial stone shall be set 0.15 metre (6 inches) from the rear of the foundation slab and to be in line with existing memorial stones. Memorial stones shall be positioned so as to ensure a minimum 0.225 metre (9 inches) between the outermost edges of adjacent memorial stones.

15.6 The identification number of a grave shall be cut at the base of any monument relating to the grave where it is to be placed. The Parish Council may affix an identification marker to each or any plot and under no circumstances shall any such marker be removed. No monument mason shall inscribe, or cause or allow to be inscribed, on any monument any inscription relating to his name, trade or business.

15.7 No memorial or part of a memorial may be removed from the Cemetery without the prior approval of the Clerk or other authorized officer. Any memorial removed in the process of opening a grave shall be removed at the risk and expense of the person requiring the grave to be opened.

15.8 Any memorial taken down for any purpose must be replaced on the grave as soon as possible or removed from the cemetery. If a memorial is not replaced on the grave or taken from the Cemetery within four months of the date of its removal from the grave, the Council may give notice to the owner of the grave or the person requesting the memorial to be taken down, requiring replacement or removal from the Cemetery. If this notice is not complied with in fourteen days the memorial shall become the property of the Council absolutely and will be removed or destroyed. The Council reserves the right to charge for the removal.

15.9 Any person not complying with the Regulations may be refused admittance to the Cemetery for such periods as the Council may think fit.

15.10 No memorial may be erected or inscription added without written permission in the form of a permit which will be issued to the memorial mason. This permit must be produced to the clerk or other authorized officer before work is begun and the mason must state the date on which work will be done.

15.11 Borders on graves will be reviewed on a case-by-case basis. For more information, please contact the Parish Clerk.

## **16. Damage**

All material for any monument shall be conveyed from the access road within the Cemetery in such a manner as will prevent damage to turf or pathways. With regards to any damage caused to any Parish Council land or premises or to any monument by the bringing of materials, monuments, tools or other items, or from the erection or placing of any monument, or from any other cause, the person or persons doing such damage shall be held responsible and shall be liable for any costs incurred in the repair of such damage. The said costs which will be a charge recoverable by the Parish Council from the said person or persons.

## **17. Workmen Not Admitted on Sundays, etc.**

No workmen employed in fixing or restoring monuments will be admitted or materials received into the Cemetery at any time on Sundays, Christmas Day, Good Friday, public or bank holidays appointed for any general feast of thanksgiving or on any other day before sunrise or after sunset.

## **18. Wreaths, artificial flowers and receptacles**

Wreaths shall not be allowed to remain on any grave in the Cemetery more than two weeks following interment and may be removed by the Parish Council after that time if the owner fails to do so. Dead flowers can be placed in the cemetery bins. Any dead flowers remaining on graves shall be removed.

## **19. Care of Graves and Memorials**

19.1 All memorials are erected at the sole responsibility of the grave owner and the Council shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. The memorial remains the responsibility of the grave owner during the lease period of the grave. The Council reserves the right to repair or make safe any memorial which becomes unsafe or falls into disrepair, and to recover any expenses from the registered owner. The Council will undertake routine safety checks on all memorials and will notify the grave owner at the last registered address of any necessary works to make the memorial safe. The grave owner will be given a period of 3 months from the date of the letter to affect the necessary repairs. The Council reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner does not arrange for the repairs to be made, the Council may repair or remove the memorial at the owner's expense.

19.2 Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from site.

19.3 Any items left on graves are at the owners' risk and the Council cannot be held responsible for any damage to or theft of them howsoever caused. The Council may remove any articles from any grave that are likely to cause risk, damage or offence to other visitors to the Cemetery or which interfere with the Council's maintenance of the site.

19.4 No trees may be planted on graves. Only suitable planting such as annual bedding or small shrubs will be permitted on graves. The Council may remove any plants that it considers unsuitable or that infringe on other graves or interfere with the council's maintenance work.

## **20. Official Plan**

A plan of the Cemetery showing the position of every grave shall be kept by the Parish Council and may be inspected by arrangement with the clerk without charge. A register of burials shall be kept by the Parish Council where searches may be made by arrangement with the Clerk and extracts obtained on payment of any necessary fees.

## **21. Exhumation**

After interment no body can be removed without producing to the Parish Council the faculty or license required by law.

## **22. Amendments**

The Parish Council reserves the right from time to time to make alterations in the foregoing Regulations consistent with the Local Authorities' Cemeteries Order 1977 and any subsequent Orders or Legislation.

These regulations were adopted at the Council meeting on 8<sup>th</sup> May 2025 to be reviewed at the next Annual Parish Council Meeting or sooner if legislation dictates.