



East Suffolk Council's Cemeteries and Closed Churchyard Management Policy

Version 3.1 | 10/06/2021

1. Introduction

- 1.1. This policy is a strategic document for East Suffolk Council in maintaining and promoting its stewardship of cemeteries and closed churchyards which local residents have a right to enjoy. It advocates that cemeteries should be a place of peace and tranquillity for the public to visit, to pay respect to their interred relatives and / or friends.
- 1.2. It advocates they are places for contemplation, to be treated with respect and are viewed as key parts of the district's open spaces.
- 1.3. This document includes all aspects of good management and operation of the Authority's cemeteries including closed churchyards. These aspects range from maintenance, health and safety and memorial testing, to pre purchased graves, promoting respect to meeting future land demands for the interment of the dead and the burial of minority groups within our communities.
- 1.4. The strategy is a dynamic document and will be updated periodically as societal, legislative and environmental changes present themselves to the Council.
- 1.5. There are 13 cemeteries managed by East Suffolk Council and currently 29 closed churchyards. The current lists are available at:
 - <https://www.eastsuffolk.gov.uk/community/cemeteries-and-burials/>
- 1.6. Within these areas, the Council maintains all the buildings, (except churches), trees, paths, roads, site boundaries, drainage, water services and grass cutting, waste disposal and ground maintenance.
- 1.7. Condition surveys are undertaken of all buildings which the Authority controls, on a rolling programme and form part of the Council's Asset Management plan and appropriate budgets.
- 1.8. To improve security, health and safety and the visual appearance of the cemeteries and closed churchyards, a programme of inspections has been developed to report defects and potential hazards for maintenance and repair.
- 1.9. The inspectors will highlight any works required. Response times are variable and are dependent upon the assessed risk. Some examples of Potential defects monitored are potholes, poor road and pavement surface, damaged boundaries and gates.
- 1.10. As technology develops it is anticipated that inspections will be carried out using handheld devices which will enable inspection data to be stored and shared electronically.



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- 1.11. Water supplies and waste disposal facilities are available in all cemeteries and closed churchyards.

2. Cemetery regulations

2.1. Introduction

2.1.1. The Council seeks to observe the rights and choices of any individual wherever possible, but to be fair to all, to keep everyone safe, and to maintain cemeteries to high standards we do need some regulations. Everyone visiting our cemeteries needs to follow these regulations. To comply with the relevant laws, we run the cemeteries in accordance with the Local Authorities Cemeteries Order 1977, as amended by the Local Authorities (Amendment) Order 1986 as well as any regulations made by the Secretary of State.

2.2. Opening times

2.2.1. The cemeteries are open daily to visitors from dawn to dusk.

2.3. Rights of use/admission

2.3.1. The Council reserves the right to:

- (i) close or limit access to the cemeteries when necessary; and
- (ii) withdraw the use of the cemeteries from any person or organisation.

2.3.2. The public may bring dogs into the cemeteries, but they must be kept on a short-fixed lead and under control at all times, it is imperative that dog foul is picked up at all times & placed in one of the bins on site.

2.3.3. Only vehicles associated with a funeral cortege, those displaying a valid disabled parking permit ('blue badge') or Council vehicles may enter the cemeteries. Any vehicle entering must be:

- driven slowly;
- kept to the main roadways;
- parked in a way that does not inconvenience visitors or staff;



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- vehicle movement may within the cemetery be restricted for the duration of a burial or interment, visitors are asked to comply with cemetery staff requests for this.

3. Cemetery Fees and Charges

- 3.1. Fees and charges will be set annually by the Council unless otherwise agreed (such as over a 3 year period).
- 3.2. The Authority in setting its fees and charges will consider and compare other local authority charges. All fees and charges will be determined by balancing what is a reasonable cost, comparison with other authorities and the expenditure for managing and operating the cemeteries and closed churchyards.
- 3.3. All fees for interments and memorials applications are payable in advance.
- 3.4. Fees are published on the East Suffolk Council website.

4. Training of Staff

- 4.1. The Council require that the operators of the service through East Suffolk Norse carry out relevant training for staff. This could include:
 - Transfer of burial rights training
 - Customer care/understanding bereavement
 - ICCM Diploma/Cemetery Certificate
 - Safe excavation of graves
 - New memorial safety guidance
 - Understanding the NAMM Code.
- 4.2. Training is an essential part of providing a high-quality service and funding should be built into the budgets to facilitate this.



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5. Records and data management

5.1. The Council is required by law (LACO 1977) to:

- Maintain a record of burials
- Maintain a plan showing the number and location of each grave
- Maintain a record of the granting and transfer of exclusive rights
- Issue Deeds of exclusive rights
- Maintain a record of exhumations
- Store all records securely to preserve them from loss or damage

5.2. As demand grows for electronic access to information, there will undoubtedly be a demand for public access to online burial data. Preparation should be made for this demand with access to the Burial Register arranged. Some authorities are considering the electronic packaging of information for genealogists together with a charge for providing the necessary information.

5.3. Work is taking place to computerise all of cemetery administration records, including cemeterial burial plans. This will be essential for the effective operation of the service into the future.

5.4. During the process of transferring records, the Council will seek to identify all grave spaces that may be available for sale of rights. These will include:

5.4.1. Graves sold in perpetuity – Rights may be cancelled after 25 years but may only be used where no previous interments have taken place (Local Authorities Cemeteries Order 1977 - LACO).

5.4.2. Reserved graves – in many cemeteries' graves were reserved but no rights issued, these normally reverted to a public grave after 14 years from date of reservation. Many of these have not been identified in other cemeteries and a check for this type of reservation should be carried out. Any graves in this category may therefore be used for further interments.

5.4.3. Graves where Rights have expired – it is unlikely that any of these exist but, technically when a right has expired the memorial may be removed and remaining space used where family have not renewed Grant of Rights.



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6. Exclusive Right of Burial

- 6.1. At the time of the interment you may buy an Exclusive Right of Burial (ERB) in a grave for 25 years. The purchase will be subject to you paying the appropriate fee and completing the relevant application form, which needs the signature of the proposed owner (who then becomes the deed holder). The Exclusive Rights of Burial vary between grave types.
- 6.2. The Exclusive Right of Burial deed holder is entitled to decide who is buried in the grave and whether a memorial can be erected on it (once the relevant fee is paid and the Council has given permission).
- 6.3. Our policy is to excavate graves to the maximum depth available. With regards new graves we will initially aim to excavate them to a depth of 1.82m (approx. 6ft). This will enable the grave to accommodate two interments, single and double depth, unless specifically requested for a treble (2.43m) grave, subject to Cemetery and soil conditions therefore the Council cannot be held responsible if, due to factors outside our control, the grave cannot hold the full number of interments.
- 6.4. We will allocate new graves in strict rotation. We will try to meet the wishes of applicants who buy grave spaces if it is practical to do so, subject to the Council's approval and payment of the appropriate fee.
- 6.5. The Council keeps plans and records of graves which visitors may view, by appointment, during normal office hours.
- 6.6. When the Exclusive Right of Burial period comes to an end the buyer (or their heirs or successors who have become the deed holder) will have the option of renewing that right, subject to any restrictions which may be in force at that time.
- 6.7. Deed holders will need to apply to renew the ERB within 12 months of the previous grant finishing. The Council may grant a renewed right of burial to another person if the ERB grant period has finished and nobody has informed us that they want to renew it. Before we do this, we will, where possible, notify the previous owner (or their personal representative) to give them the option to renew it.
- 6.8. Where no interment has taken place in the grave, the owner of the ERB may surrender it to the Council. We will pay the owner an amount which is in proportion to the number of years remaining for the ERB. We will not make a payment if the ERB has lapsed or finishes within ten years.



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- 6.9. If the Council gives permission, the owner of an ERB may transfer it to another person if they provide satisfactory evidence of ownership. The owner must register the transfer in the cemetery's records, have the deed of grant of Right of Burial endorsed by the Council and pay the appropriate transfer fee.
- 6.10. Provided that there is sufficient room and subject to receiving consent from the Cemeteries Registrar cremated remains can be interred in any grave in the cemetery for which you have the Exclusive Right of Burial.

7. Coffin Types

- 7.1. To help us all respect the environment, all bodies entering the cemetery for burial must be contained in a coffin/wrapping made of a perishable material bearing the full name, age and date of death on it. Alternative coffin materials maybe considered subject to prior written agreement by the Cemeteries Registrar.

8. Interments

- 8.1. You can apply for a burial by contacting the Cemeteries Service. The service operates from 9am to 5pm, Mondays (apart from bank holidays) to Fridays. You must deliver a completed interment notice to the office at least two clear days before the interment (excluding Saturdays, Sundays and bank holidays).
- 8.2. Interments normally take place on Mondays to Fridays between 9:30am and 2pm.
- 8.3. The time booked for a funeral is the time the cortege is due to arrive at the cemetery. If the Funeral Director or person in charge of the funeral is later than the appointed time they must act under the direction of the Registrar (or their representative) as to when the funeral service may proceed.
- 8.4. The Council will not open a grave covered by an Exclusive Right of Burial without the written permission of the registered owner unless the burial is to be that of the registered owner, unless the deceased was the sole grave owner who has the automatic right to be interred in the plot they previously, subject to a transfer of the ownership rights as soon as possible after the interment.
- 8.5. We will need to see and verify the deed before a grave is re-opened. If the deed is lost or mislaid, then a statutory declaration must be made. We must receive the Registrar's Certificate for Disposal or Coroner's Order for burial before any burial can take place.



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- 8.6. We will require a Medical Practitioner, Midwife or Nurse's certificate if the interment is for a non-viable foetus.
- 8.7. The responsibility for providing enough bearers to carry the coffin from the hearse to the grave or plot (whether mourners are present or not), rests with the Funeral Director or person arranging the funeral.
- 8.8. Once we have a Notice of Interment, we reserve the right to instruct a local memorial mason to remove any existing memorial to allow the grave to be excavated. The applicant will pay the cost of removal. All Funeral Directors/Families are expected to arrange this and we would only request a removal as a last possible resort.
- 8.9. When excavating graves, we reserve the right to move memorials and to place excavated soil on nearby graves to make room for equipment. We will return the memorials to their original positions and tidy any disturbed neighbouring graves as soon as possible after the burial.
- 8.10. Only the Council can authorise or employ people to prepare graves.
- 8.11. Council staff are not permitted to accept tips.
- 8.12. During a funeral (or before) we have the right to exclude those who are not mourners, or not officially connected with the funeral.
- 8.13. There may be instances where funeral parties are limited by numbers due to government restrictions. In this case you will be informed of the current guidelines.
- 8.14. For those cemeteries containing a children's grave section, we do not permit the interment of adults in children's graves in the children's section.

9. Children

- 9.1. In respect of the body of a non-viable foetus, stillborn child or a child whose age at the time of death did not exceed eighteen years, interment to be in a single grave in areas set aside for the burial of children inclusive of the exclusive rights of burial for a period of 25 years and the right to erect a memorial, for which a nil Cemetery Fee is applicable for all aspects, following the creation of the Government's Children's Funeral Fund for England in 2018.



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10. Non-Christian Burials

10.1. The Council understands that communities within East Suffolk may not require the traditional burial and where possible will try and facilitate and accommodate non-Christian burials. Where the Council cannot accommodate such burials it will advise relatives and families of neighbouring Authorities or partnering organisations who provide alternative burials to meet the wishes of the bereaving families and relatives.

11. Green/Eco-friendly Burials

11.1. The Council recognises that environmentally friendly burials are a matter of degree and personal belief. Regretfully, due to space constraints in some of our cemeteries, a full 'green' interment cannot be achieved. However, the Council will allow the use of wicker or cardboard coffins.

11.2. Where possible we fully support the use of environmentally friendly materials and practices within our cemeteries.

11.2.1. Practical examples include:

- Informing the public of the negative environmental issues associated with the chemicals used in cosmetic embalming.
- Encouraging the use of materials other than chipboard, fibreboard and plastic in the construction of coffins and cremated remains caskets.
- Promoting the reduction of the use of plastic in floral tribute construction.
- Providing the bereaved with information on funeral options that have a lesser impact on the environment.
- Encouraging the use of environmentally friendly chemicals to clean memorial stones, as an alternative to corrosive acids.
- Composting a greater amount of mown grass, leaves, flowers and other plant material removed from the grounds.
- Reduction in the use of herbicides/chemicals and peat.
- Increased tree planting.



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- Sourcing alternatives to teak, mahogany and other hardwoods, used in the construction of memorial benches.

12. Public Health Burials

- 12.1. The Council treats welfare burials with the greatest of dignity, sympathy and respect as it does for all other categories of burials. Where the deceased person has no relatives or relatives cannot be traced or the family cannot afford the burial and funeral costs, the authority will make the funeral arrangements.
- 12.2. Unless there is a specific request, Public Health Burials will normally be a cremation rather than a burial.
- 12.3. Burials will be provided in un-purchased or public graves otherwise known as 'Common Graves'. Space for further burials cannot be reserved in these common graves and the erection of a fixed memorial is not permitted.
- 12.4. This authority will comply with its statutory duties detailed in Section 46(1) of the Public Health (Control of Disease) Act 1984 regarding welfare burials.

13. Exhumations

- 13.1. The exhumation of the deceased is a high-risk health and safety issue with hazards during the excavation work and the potential risk of infectious disease. Therefore, all exhumations will be carried out in accordance with the Institute of Cemetery and Cremation Management 'Code of Safe Working Practice for Cemeteries', and the Health and Safety Executive (HSE) guidance 'Controlling Risks of Infection at Work from Human Resources'.
- 13.2. Exhumation will always be the last resort the Authority will undertake. It will try to resolve issues by alternative means before embarking upon an exhumation. However, where an exhumation is required then the exhumation of the deceased will be undertaken with sensitivity, respect and dignity.



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14. Burial of Cremated Remains

- 14.1. A designated area within cemeteries is provided and kept for the burial of cremated remains.

15. Reservation of burial plots

- 15.1. Council policy is not to allow the reservation of burial plots in cemeteries that have less than 15 years capacity left.

- 15.2. Any reserved burial plots, where exclusive rights have been purchased more than 75 years ago and the grave has never been used, will extinguished and the plots reclaimed. The Local Authorities' Cemeteries Order 1977, Schedule 2 part 3 allows the local authority to do this:

(2) Where any rights described in paragraph 1(1)(a) or (b) have not been exercised, the burial authority may, at any time after the expiration of 75 years beginning with the first day on which any such rights were granted, serve notice on the owner of the rights of their liability to determination under this paragraph, and the rights shall determine by virtue of the notice unless, within 6 months of the date of the service, the owner notifies the authority in writing of his intention to retain them.

- 15.3. If a plot held for over 75 years is thought to be empty, this will be physically checked to ensure this is the case. Correspondence will then be sent to the last known address given for the owner of an empty plot and 6 months given for a response. The records can also be checked to ensure whether the owner has been buried elsewhere within Council owned cemeteries. This can happen when the deceased has left no instructions or will as to where they wanted to go.

16. Management of memorials

- 16.1. The erection of a memorial will be permitted only where:
- A Grant of Exclusive Rights of Burial exists for the grave
 - The grant holders must submit a formal memorial application fully completed and signed by all grant holders. Where the owner is



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deceased a transfer of ownership must be completed before any memorial work is permitted

- The written permission of the burial authority has been granted
- Payment of the prescribed fee as specified in the Table of Fees and Charges has been made to the burial authority

16.2. We will give you the correct form to complete if you wish to apply for permission to erect a memorial, add an inscription or carry out any other work on a memorial. The form will include:

- name and address of the memorial mason who will carry out the work.
- material and measurements of the memorial.
- details of inscription and a diagram of the proposed memorial, including fixing methods
- full names and signatures of the registered grave owner/s to give permission for the work.

16.3. The applicant must not start any work until they have complied with Section 16.1 above. We will give permission as long as the work undertaken fully complies with the details specified within the Application Form, the BRAMM/NAMM scheme and the requirements of these regulations.

16.4. The Council will remove any unauthorised memorial and charge the cost to the grave owner, or their personal representative.

- Having satisfied the criteria above, the following types of memorials may be fitted in the following sections; lawn sections - Headstone, plaque, desk, or wooden cross may be placed at the head of the grave only. Maximum height from ground level 920mm (Please note: No kerb set or corner posts allowed in this section)



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- Traditional sections - Headstone, plaque, kerb set, tablet, vase and wooden cross. Maximum height above ground level 920mm
- Ashes sections - Plaque or desk. Maximum height above ground level 150mm. A headstone may be permitted in certain areas within some cemeteries.

16.5. All memorials, including the re-fixing and refurbishment of memorials, must be:

- constructed and erected in strict accordance with the size and design approved by the burial authority, by a mason who is an approved contractor and in strict accordance with the BRAMM/NAMM Code of Working Practice and or BS 8145
- prepared ready for fixing before being taken into the cemetery
- erected using an appropriate foundation which, where possible, must not be visible above the ground and which must be to the satisfaction of the burial authority
- secured into the ground using a fixing system that has been approved by the burial authority
- fixed in line with adjacent memorials

16.6. Small wooden crosses are sometimes provided by a funeral director, as a temporary grave marker, pending the erection of a permanent memorial and may remain for a period not exceeding twelve months from the date of interment. If a wooden cross is being considered as a permanent memorial, please contact the Cemeteries Office in the first instance for a detailed specification regarding the type of wood, the finish, size and method of fixing. The same criteria as previously mentioned for other memorials will need to be satisfied. Wooden crosses fall into the same category as headstones for safety inspections, etc. and are therefore subject to the same fee.



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16.7. All memorials must be able to bear continuous exposure to the weather and must not be made of:

- glass
- porcelain
- plastic
- artificial stone
- concrete
- polystyrene
- terracotta
- or any other material that in the opinion of the burial authority is unsuitable

16.8. The owner of the Exclusive Right of Burial is responsible for keeping the memorial in a good and safe condition. The authority has a duty to periodically inspect and test memorials for stability and take actions considered appropriate in order to maintain public safety. These inspections will be well advertised in the local press and cemetery information boards prior to the commencement.

16.9. If a memorial is found to be in a dangerous condition, the burial authority has a responsibility to make the memorial safe by either securing in the upright position or lowering it to the ground and then advising the registered owner where possible. It is then the responsibility of the registered owner to contact a stonemason and pay for the reinstatement work.

16.10. All memorial mason companies who work within the cemeteries must be registered with the British Register of Accredited Memorial Masons (BRAMM). Fixing teams will contain at least one mason in possession of a BRAMM fixer's licence. At all times memorial fixing teams will operate in accordance with the BRAMM scheme and these regulations.



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17. Lawn sections

- 17.1. Graves in lawn sections of the cemeteries will be grassed, with no mounds or kerb sets. You may install a memorial of the dimensions indicated below at the head of the grave. You may not place any other memorial or other items in or around the grave space or on the grassed area in front of the grave.

18. Items on memorials

- 18.1. The burial authority has certain regulations which prohibit certain items from being placed on the memorial. Examples of what is deemed as unacceptable are:

- Planting of any trees, shrubs, or garden areas
- Placing of any glass/plastic containers or grave furniture that can impede cemetery maintenance and if broken, cause injury to staff or visitors
- Placing of any unauthorised grave surrounds

- 18.2. You may fix photographic plaques, either ceramic or other material, of an approved size to memorials, if you have the Council's written approval.

- 18.3. We ask respectfully that all Christmas wreathes, ornaments etc are removed from all areas of the cemeteries by the end of January following the Christmas period. Signs will be placed within the cemeteries to remind visitors of this.

- 18.4. The Council reserves the right to remove (and dispose of) from any grave space, flowers, plants, floral tributes or wreaths which have deteriorated or become unsightly.

19. Requirements of Monumental Masons

- 19.1. Initially, every Monumental Mason will be required to provide to the Council the following documentation:

19.1.1. Required to be a member of BRAMM.

19.1.2. A detailed method statement showing how work will be undertaken and what measures will be taken to minimise the risk of personal injury or damage to property. This must cover every aspect of work the Monumental Mason is likely to undertake in



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the Cemetery during the forthcoming year, including vehicle access and movement within the Cemeteries.

- 19.1.3. A copy of their Health and Safety policy and codes of practice.
- 19.1.4. A copy of up-to-date Public and Employee Liability insurance with at least £10 million cover. Copies to be provided for the Council upon the policy renewal.
- 19.1.5. A copy of their incident reporting mechanisms and procedures in accordance with The Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 1995 (RIDDOR).
- 19.2. Guidance on the completion of 33.21.1. can be obtained from The Association of Burial Authorities (ABA), The National Association of Memorial Masons (NAMM) or the Health and Safety Executive (HSE).
- 19.3. Failure to provide the documentation will result in permits being withheld and access to the Cemeteries being denied.
- 19.4. All memorials, including the re-fixing and refurbishment of memorials, must be constructed and erected in strict accordance with the size and design approved by the Burial Authority, by a mason who is an Approved Contractor and in strict accordance with the NAMM Code of Working Practice and or BS 8145 or equivalent industry standard.
- 19.5. All contractors engaged on work in the cemetery must comply with all Council directions and requirements.
- 19.6. All materials and equipment must be conveyed in the cemetery in such a manner as to prevent damage to walks, paths, roads or turfed areas and all soil or waste material must be removed in a like manner. Mats, boards, or canvas must be used, as directed by the Council, to achieve this end.
- 19.7. Masons must notify the Council of intent to work in the cemeteries at least 24 hours before arrival at the cemetery. No work will be permitted outside of the opening times of the cemetery or at weekends unless specifically approved by the Council.
- 19.8. Any person removing a memorial to permit a further interment may only do so after informing the Council. Upon reinstallation of such memorials they shall be re-fixed in accordance with BS8415 and / or the NAMM Code of Practice, this will include the installation of new dowels between the base and headstone plate.



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20. Commemorative Benches

- 20.1. The Council may provide commemorative benches at various locations within cemeteries, these benches may be sponsored for an agreed period (currently 10 years). The Council reserves the right to relocate all benches on site to meet operational needs. To sponsor a commemorative bench, the terms and conditions are set out in the Memorial Benches Policy.
- 20.2. No other memorial or other items may be placed on the bench.
- 20.3. The Council reserves the right to remove any unauthorised items attached to a bench.

21. Memorial plaques

- 21.1. The Council provides a memorial wall at Woodbridge New Cemetery. For details of this, please contact the Cemetery Service.