

**Llangywer Community Council**

**Burial Authority**

**at the**

**Churchyard in Llangywer**

**LL23 7DA**

**Policy**

**February 2022**

## **Introduction**

**Llangywer Community Council is the Burial Authority and is the owner of the cemetery. Because of decreasing suitable burial plots, burials are restricted to late Llangywer residents, or to those with very close connections to Llangywer.**

We have produced this guide to:

- assist you in arranging a burial
- give you information on the restrictions and conditions that apply to buying exclusive burial rights
- make sure that we provide you with a consistent level of service, and to
- raise your awareness of your rights and responsibilities in relation to the cemetery.

It also outlines how we will meet our obligations under the law.

The Cemetery Officer undertakes all administrative duties on behalf of the Community Council and looks after the statutory records. Records can be viewed by prior arrangement. There will be a charge for providing copies.

The Council reserves the right to review the rules and fees as required. The management of the Cemeteries is operated in accordance with the Local Government Act 1972 as well as any order provided by the Welsh Government.

The Cemetery Officer is:

Lis Puw, Bedw Gwynion, Llanuwchllyn, Gwynedd LL23 7TW (07896 964120).

## **Notice**

Maintenance which promotes biodiversity will be undertaken, which means that the growth of flowers and grasses is encouraged.

## **For the attention of the Deceased's Family (or for the Family through the Undertakers' agency):**

### Pre-burial arrangements:

1. Notice of burial (including the burial of ashes) must be given to the Cemetery Officer at least three days before the Burial, with the Notice of Burial and any other relevant form. No scattering of ashes shall be permitted in the cemetery.
2. Burial shall not take place before 10:00 in the morning or after 3.00 pm in the Summer. (2.00 pm in Winter). Burial is not allowed on Sundays or during statutory holidays.
3. It is a requirement that when the re-opening of a grave (or in the case of the first opening of a grave with the limited right of burial has been pre-purchased), that the notice to the Cemetery Officer includes the written consent of the current Holder of that restricted right of burial.
4. All appropriate fees must be paid to the Cemetery Officer (or Funeral Director) with the

Notice of Burial (or with the request to install a memorial) in accordance with the Council's current fees. The Council reserves the right to review the rules and fees as required.

4.1 If the deceased dies within 5 years of leaving the community, the community fee will apply (*this is also the case where unavoidable circumstances of ill health have forced residence outside the community for more than five years*).

4.2 A partner shall be buried at the community fee rate - irrespective of the residence location.

#### Plots and headstones:

1. A limited right of burial may only be purchased when it is needed for immediate use and a grave may only be opened if it is required within three days.
2. If a payment has been made in the past identifying a specific grave site, please note that it was for a 75-year LEASE, not for the purchase of a plot of land.
3. **No memorial shall be erected without the prior written consent of the Council / Cemetery Officer.**
4. Responsibility for a memorial / tombstone rest with the person entitled to be buried there or their representatives.
5. **The owners of memorials are responsible for maintaining them in good condition.**
  - 5.1 When a memorial is in need of repair, the Cemetery Officer must be given advance notice and the services of a competent and experienced person to undertake the work must be obtained (*see list of Council approved groundworkers*).
  - 5.2 Owners are informed (if known) when memorials require repair; if they are not repaired within the specified time, the Council may take action to make the memorial safe (the right granted under the Local Authority Cemetery Direction 1977).
  - 5.3 The Council may take direct action on any memorial that it believes presents a significant health and safety risk. This means acting without giving the families formal notice in advance.
6. NO digging, or planting of any plant or border, or any other similar activity is allowed.
7. Objects are not permitted on the ground in front of a stone or memorial except on plinths of a size and appearance approved in advance by the Cemetery Officer.
8. No pesticide is permitted to be used by the public within the boundaries of the cemetery.
9. Glass is not permitted in the cemetery.
10. Objects that could be considered intrusive by other mourners, including solar lights and wind chimes, are not allowed.
11. Dogs are not allowed in the cemeteries, except for guide dogs.

12. Wreaths may be placed on graves between November and early March.
13. Families are respectfully asked to keep plots tidy and to take any refuse home.
14. The Council reserves the right to act in accordance with the requirement to ensure compliance with the above rules and cemetery policy.

### **Undertakers and Stone Masons:**

#### **Graves**

1. The grave opening must comply with the Construction Regulations 1961 and 1966 and the relevant codes of practice.
2. All undertakers approved to open a grave are responsible for tidying up and removing any soil and stone not used for the immediate closure of the grave from the cemetery after the funeral. If this is not done the Council can carry out the work and recover the costs from the undertaker.
3. Only the use of a small "mini digger" machine is permitted within the cemeteries.
4. While a grave is open it is necessary to adequately cover it.
5. Each burial plot measures 2.44 meters (8 feet) long, 1.22 meters (4 feet) wide and 2.44 meters (8 feet) deep, that is, a new grave for three burials.
6. At least 0.6 meters (2 feet) of soil shall be allowed above the last coffin from the ground surface.
7. When backfilling the grave, the undertaker is required to compact the soil every 6 inches by trampling the soil to minimize the impact of the grave soil sinking, and of releveling cost / work. The undertaker must move any surplus soil to a specified site and place any flowers and wreaths neatly on the grave.
8. The person who opens or closes a grave shall be responsible for any damage caused to third parties while carrying out the work.
9. From time to time, the Council uses soil to fill holes to level sunken areas around memorials. Grass seeds will be scattered on these areas.

#### **Cremated remains**

1. The cemetery has a designated area for the burial of cremated remains. The size of a burial plot for ashes is less than the size of a full grave and can accommodate up to 4 boxes. Cremated remains may also be buried in full size graves. Full-size graves may contain several boxes of ashes, but consideration should be given to the limited space for inscriptions on memorials.
2. Each cremated remains plot measures 1.52 meters (5 feet) long, 1.22 meters (4 feet) wide and 0.6 meters (2 feet) deep.

3. At least 0.45 meters (18 inches) of soil shall be allowed above a box from the ground surface.

**Memorials**

1. No memorial may be erected without the prior formal and written approval of the Council. Full design and measurements should be submitted to the Cemetery Officer.
2. The memorial must comply with the Council's policy on size, form, and layout.

Memorial measurements should not exceed:

**Grave plot**

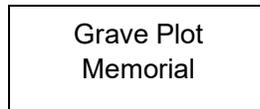
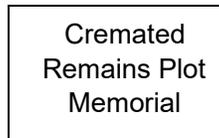
Foundation stone	36 inches wide x 24 inches long
Plinth	30 inches wide x 12 inches long
Headstone	24 inches wide x 30 inches high (up to 4 inches thick)

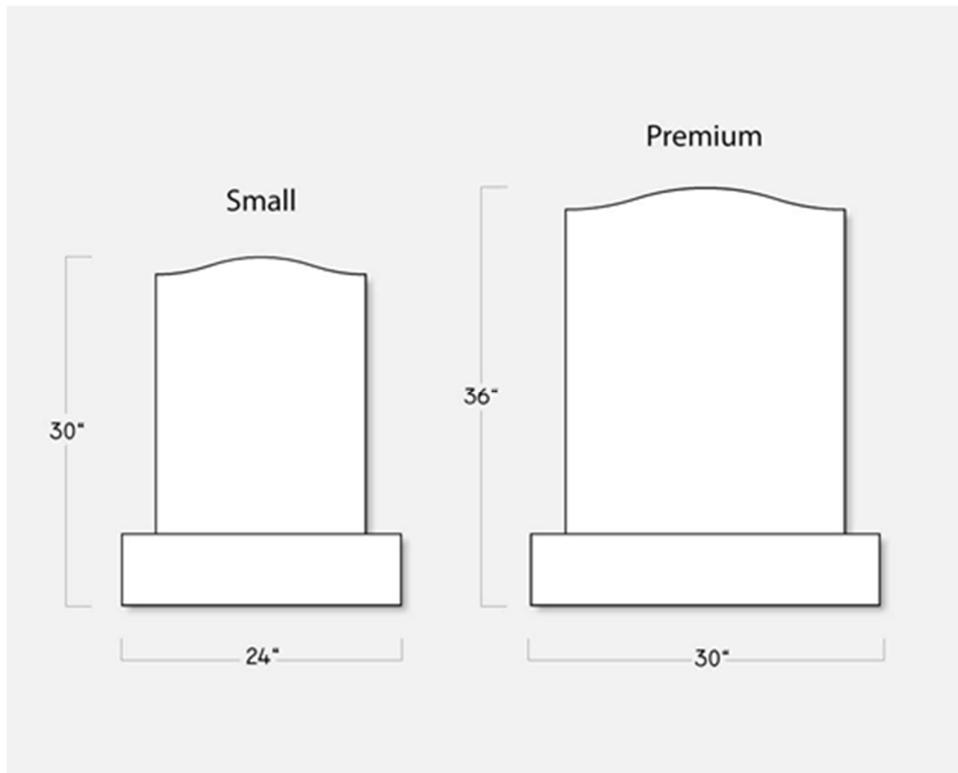
Max height of the memorial from the ground (including foundation stone): **36 inches**

**Cremated Remains Plot**

Plinth	24 inches wide x 12 inches long
Headstone	21 inches wide x 27 inches high (up to 3 inches thick)

Maximum height of memorial from the ground (including foundation stone): **30 inches**





3. Kerbs and boundaries are not permitted around a grave site.
4. Memorials may not be engraved or repaired within the cemetery (other than stone reinstatement). All materials and memorials will have to be removed from the cemetery in preparation for burial, ensuring that no other graves or anything within the boundaries of the cemetery are damaged.

### **Health and Safety**

Llangywer Community Council is the burial authority and owner of the Cemetery.

Llangywer Community Council exercises the ultimate duty of care because of different legislations. It therefore sets and implements a Policy relating to its cemeteries which will refer to health and safety and the work carried out by undertakers, irrespective of who employs them.

Llangywer Community Council must receive a risk assessment and a copy of a safe method statement from the gravedigger or Funeral Director - which must be formally approved by the Council - for the right to carry out grave opening work in the Council's cemeteries. Masons are expected to follow the NAMM and BRAMM guidelines.

As part of this action the Council will expect the gravedigger to use bespoke materials – in particular, appropriate 'shoring equipment' - when carrying out the excavation, to support the ground and prevent collapse, and to protect the gravedigger's health and safety during the course of the work, as well as the health and safety of the mourners, the clergy, and the funeral director staff during the burial service.

Llangywer Community Council will also expect, on an annual basis, a copy of the Funeral Director's public liability insurance which applies to any work carried out in this Council's cemeteries.

During any period when the gravedigger / funeral director is not on site after carrying out the excavation, a temporary barrier will have to be placed around the grave, or the grave should be securely covered.

Council members will, on occasion, monitor the work of Undertakers and will be authorised to suspend the work if an Undertaker does not comply with this policy.

Llangywer Community Council will inspect the stones for public and employee safety. If a stone or memorial is found to be unstable, the family will be informed, and 28 days will be allowed for remedial work to be carried out. If repairs are not carried out within the specified time, or there is a security threat that requires an emergency response, Llangywer Community Council will take immediate action to make the site safe; this may mean that the stone is laid or removed.

This Policy is regularly reviewed.

Reviewed by Llangywer Community Council in February 2022