

Parish of St Mawgan-in-Pydar

St Mawgan Burial Ground Regulations

The Parish Council, as the Burial Ground Authority, has determined certain principles governing the erection of memorials in the Burial Ground, which it believes, are in the best interest of parishioners, to preserve the Burial Ground as a rural place of rest, for their deceased relatives.

The Council is also mindful of its responsibility, to contain maintenance expenditure on the Burial Ground, as a charge upon the Parish.

Fees may be obtained from the Clerk or via the Parish Council website:

www.stmawganparishcouncil.org.uk

The following regulations will therefore apply to graves in the Burial Ground:

1. Proposed memorials and their inscriptions must be submitted to the Clerk to the Council for approval by the Council, before erection. This applies also to additional inscriptions upon existing memorials.
2. To mitigate subsidence problems, the Council will not approve the erection of headstones or kerbs until at least 12 months after interment.
3. Memorials for graves may comprise Headstones, Kerbs or Vases, or any combination of these.

The Parish Council prefers, that memorials for graves in the Burial Ground, are to be of stone (slate, granite or marble), but if a wooden memorial is particularly desired, this will in principle be approved, provided that it conforms to specific requirements, details of which are available from the Clerk.

4. Memorial Grave Headstones will be vertical.
5. All memorials i.e Headstones and Kerbs must be supplied and fitted by a Monumental Stone Mason. All memorials will be subject to ongoing stability testing in accordance with the Council's policy and the Council reserves the right to remove any memorial which has become or is likely to become dangerous.
6. All Grave Headstones must be securely fixed onto a plinth and on a foundation, in accordance with the National Memorial Masons Code of Working Practice (NAMM,2001) working to British Standard 8415 (July 2018) with the ground conditions prevalent at the Burial Ground to be taken into consideration.

7. The maintenance of the memorial is the responsibility of the owner. Should the memorial stone become unstable or dilapidated, the Parish Council will contact the next of kin to arrange repairs at owner's expense. However, if the situation requires urgent response then the Parish Council will lay the unstable stone down for safety and reserves the right to remove the stone for storage off-site for three months only, pending collection, after which it will be disposed of, if unclaimed (see Memorial Policy below).
8. All memorial stones are to be kept in good repair and condition by the owner.
9. Memorials in the Area for Cremated Remains must be erected and confined to polished granite tablets set flush with the ground and measuring 18 ins wide by 12in long. They shall be oriented for reading from the North-East, i.e. from below. The memorial fee is included in the fee for the plot. The fees for memorials are intended to provide a contribution towards the maintenance costs of the Burial Ground occasioned by these memorials, as contrasted with the simple mowing of unmarked graves, in what would otherwise be a lawn cemetery. For this reason, planting of flowers or bushes upon a grave, other than within a kerbstone, cannot be permitted and will be removed.

10. Owner and Burial Ground contractor's responsibility for Health and Safety

Using Herbicides Around Memorials

To conform with current advice, the Parish Council does not advise the use of herbicide around the bases of memorials. Apart from causing discolouration, which is unsightly, there is a possible risk to the environment and public health. There is a potential high risk of damage to the natural stonework, as well as causing instability to the stone base/foundation by removal of vegetation, such as grass and its interlocking root system. These exposes and weaken the soil structure as the roots die, and voids will be left both above and under the ground. The soil will fall into these voids, therefore loosening the stone.

(National Association of Memorial Masons, Working Practice page 11.section 5.g, 2017)

<http://www.namm.org.uk/burialauthorities/information-burial-authorities/>.

11. The Council will not be responsible for any damage to memorials or headstones by storm, wind, lightning, subsidence, acts of third parties or any other cause other than as a direct result of negligence of their employees.
12. Burial in a grave will not confer ownership of land or passing of title to that grave. All rights remain with the Parish Council.
13. These regulations are in addition to any currently enforced by Her Majesty's Governments, The Home Office or H.M. Coroner within whose jurisdiction the cemetery may lie.

14. These Regulations may be subject to change resulting from government legislation or alterations in Council Policy or changes to working practices and will be reviewed annually.

Memorial Policy (as referred to in point 5 above)

The Parish Council has adopted a risk-based and proportionate approach to managing memorials. The approach is integrated into the Parish Council's overall burial ground management regime that applies a sensible approach to all risks associated with the operation of the burial environment. Memorials are one of a few relatively low-level risks in the site environment that need careful and sensitive management. The Parish Council recognises that it is not possible to control all risks in such an environment.

To ensure safety of all visitors, all memorials will be checked quarterly by the Parish Clerk.

What takes place:

1. A visual check for obvious signs that a memorial is likely to be unstable.
2. Where a visual check suggests no stability defects, a hand test can help confirm that assessment or identify stability problems – this test involves no tools or equipment and is intended to provide support to the visual checks.
3. Arrangements for more detailed inspections of memorials where the initial inspection identifies significant risk, or example by a memorial mason.
4. Where a memorial is deemed to be unstable it will be laid flat to eliminate risk of injury and a notice will be placed on it and in the St Mawgan Parish Noticeboard advising family members to contact the Clerk for more detail.
5. If family members cannot be located within 3 months the Clerk will try to locate family members via Electoral Records.
6. If family members cannot be located the Parish Council will either leave lain down or remove. This will be decided on stone by stone basis and no precedent will be set.

This policy is in line with guidance from the Ministry of Justice: Managing the safety of burial ground memorials: practical advice for dealing with unstable memorials (2014).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/326725/safety-burial-grounds.pdf

Angela Hayne BSc(Hons)
Clerk/Burial Officer/RFO to the Parish Council
3 The Oaks Quintrell Downs Newquay Cornwall TR8 4QG
clerk@stmawganparishcouncil.org.uk

Tel: 07500 515950

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