

**The Parishes of**  
**Owmbly By Spital & Normanby by Spital**  
**Burial Ground Management Regulations**

## Table of Contents

1. Definitions
  2. Exclusive Rights of Burial
  3. Fees
    - 3.1 Burial
    - 3.2 Burial of Cremated Remains
    - 3.3 Transfer of Exclusive Rights of Burial
    - 3.4 Headstones\Memorial Permission
    - 3.5 Extension of Exclusive Right of Burial
  4. Form of Notice
  5. Grave Spaces
  6. Headstones\Memorial Plaques
    - 6.1 Burial Plots
      - 6.1.1. Dimensions
      - 6.1.2. Materials
      - 6.1.3. Flower containers
      - 6.1.4. Wording
      - 6.1.5. Maintenance
      - 6.1.6. Foundations
    - 6.2. Plots for Cremated Remains
      - 6.2.1. Dimensions
      - 6.2.2. Materials
      - 6.2.3. Wording
      - 6.2.4. Maintenance
    - 6.3 Breach of policy requirements
  7. Scatter of Cremated Remains
  8. Flowers
- Appendix 1 – Disciplinary policy

## 1. Definitions

In these regulations:

“the council” means Owmbly by Spital Parish Council and Normanby by Spital Parish Council as they have joint responsibility for the cemetery.

“parish(es)” refers to the parishes of Owmbly by Spital and Normanby by Spital

“Resident” means

- a. Anyone living in the Parishes immediately prior to death.
- b. Anyone who was a continuous resident in the parishes for a period of 5 years or greater immediately before leaving the parish to receive recognised care or anyone who has a living partners in the parishes at the time of their death.
- c. Anyone born in the parishes or who had at least one parent who live in the parishes at the time of their birth.

“Non Resident” means

Anyone who does not satisfy the definition of resident.

“Grantee” person who has purchased the exclusive rights of burial for a nominated grave space.

## 2. Exclusive Rights of Burial

All graves, for either interred remains or cremated remains may be purchased as an exclusive right of burial which is granted for a term of 30 years. The term can be extended for a nominal administration fee.

The purchase of the exclusive right of burial is not the purchase of the grave itself but only the right to decide who shall be buried in the grave during the time that the grant is valid. The maximum number of burials in any space for which exclusive right of burial has been granted is two. The depth of the grave (single or double) must be stated at time of purchase.

The exclusive right of burial also provides the grantee with permission to erect a headstone/memorial plaque, in accordance with these regulations and upon receipt of the appropriate fee.

The grant of the exclusive right of burial in any grave is at the absolute discretion of the council.

Only one exclusive right of burial may be held by any one person.

The purchase of the exclusive right of burial of either burial or cremation plot can be made prior to the first interment by either residents or non-residents. The fees for such a purchase are the same as the current costs of plots being purchased immediately prior to the first interment.

### 3. Fees

#### 3.1 Burial

Grant of exclusive right of burial for a resident – single depth -	£500.00
Grant of exclusive right of burial for a resident – double depth -	£550.00
Grant of exclusive right of burial for a non resident – single depth -	£600.00
Grant of exclusive right of burial for a non resident – double depth -	£650.00
Burial of a child under 18 –	FREE OF CHARGE

#### 3.2 Burial of Cremated Remains

Grant of exclusive right of burial for a resident -	£100.00
Grant of exclusive right of burial for a non resident –	£200.00
Burial of a child under 18 –	FREE OF CHARGE

#### 3.3 Transfer of Exclusive Rights of Burial

Transfer to a resident -	£20.00
Transfer to a non resident - £20 + an additional fee equivalent to the difference in cost at the time of the transfer between the purchase of the exclusive right of burial for a resident and a non resident.	

#### 3.4 Headstone / Memorial Permission

Resident -	£80
Non Resident -	£80

#### 3.5 Extension of Exclusive Right of Burial

Resident -	£20
Non Resident -	£20

### 4. Form of Notice

- a. *The certificate of death (Green form) issued by the Registrar of Deaths in pursuance of the Births and Deaths Registration Act 1926 or the Coroner's Order must be delivered to the Clerk of the Parish Council at least 3 working days before the interment.*

### 5. Grave Spaces

- a. *All interments shall be in earth graves, no vaults or brick graves will be permitted.*
- b. *Digging of graves shall be arranged by the Funeral Director arranging the interment and shoring must be used. This is the responsibility of the Funeral Director to enforce.*
- c. *All graves shall be filled up immediately after the interment with earth and re-turfed as soon as practicable. No mounds or banks will be permitted. The tops of the graves are to be kept level and any subsequent depressions are to be reinstated to facilitate maintenance of the Burial Ground. This will be the responsibility of the grave owner.*

## 6. Headstones and Memorials

*Stonemasons carrying out work in the cemetery must be able to demonstrate that they are registered with the British Register of Accredited Memorial Masons (BRAMM<sup>1</sup>)*

### 6.1 Burial Plots

#### 6.1.1 Dimensions

All headstones for grave spaces (interred remains) must comply with the following dimensions:

Maximum Height      36 inches

Graves are to be flat – not mounded

#### 6.1.2 Materials

Headstones must be constructed from natural stone (e.g. marble, granite, slate)

Grave surrounds or kerb stones of any nature are not permitted, ie. Wooden, concrete, stone, plastic, gravel etc.

#### 6.1.3 Flower Containers

Flowers are permitted.

#### 6.1.4 Wording

Inscriptions should be simple and respectful; all wording must be approved by the representatives of the council before the headstone may be sited.

#### 6.1.5 Maintenance

Maintenance of the memorial is the responsibility of the grave owner, who is expected to maintain the memorial in a sound and safe condition. The council reserve the right to take whatever action it deems necessary should a memorial be broken or unsafe at the same time ensuring that the provisions of the Local Authorities' Cemetery Order 1977 Schedule 3<sup>2</sup> are upheld.

#### 6.1.6 Foundations

Headstones shall not be erected until at least 6 months after the burial. All headstones must be laid on a foundation placed at the head of the plot, this is to be constructed of reinforced concrete or natural stone not exceeding 38 inches in length, 18 inches in width and an appropriate thickness to support the headstone. The top of the foundation should be level with the surrounding turf. The stability of the memorial is the mason's responsibility, memorials fixed in compliance to the current NAMM CoWP in turn ensures compliance with BS8415 and confirms the mason has done all possible to meet their responsibility. This applies to new memorials, reinstated or re levelled memorials where all fixing components and materials including foundations must comply with current NAMM CoWP and BS8415 requirements.

---

<sup>1</sup> <https://www.bramm-uk.org/>

<sup>2</sup> [Local Authorities' Cemetery Order 1977 Schedule 3](#)

## **6.2 Plots for Cremated Remains**

### **6.2.1 Dimensions**

All memorial plaques for cremated remains must be flat and comply with the following dimensions :

Max Width - 12 inches

Max Length – 12inches

All memorial plaques for cremated remains must be laid horizontally and maintain the level of the surrounding grass.

### **6.2.2 Materials**

Memorials must be in black granite with gold lettering.

### **6.2.3 Wording**

Inscriptions should be simple and respectful; all wording must be approved by the representatives of the council before the headstone may be sited.

### **6.2.4 Maintenance**

Maintenance of the memorial is the responsibility of the grave owner, who is expected to maintain the memorial in a sound and safe condition. The council reserve the right to take whatever action it deems necessary should a memorial be broken or unsafe.

## **6.3 Breach of policy requirements.**

The Parish Councils of Normanby by Spital and Owmbly by Spital have adopted the disciplinary policy recommended by NAMM (National Association of Memorial Masons). Any breach of the requirements of the Burial Ground Regulations shall be dealt with under this policy. (Appendix 1)

## **7 Scattering of Cremated Remains**

Scattering of cremated remains in the burial ground is **NOT** permitted.

## **8 Flowers**

Wreaths and other cut flowers may be laid on a grave, but must be removed as soon as they appear to be withered. Artificial flowers, Remembrance Day poppies and traditional Christmas wreaths are allowed to be laid or placed in containers but these should be removed after a period of not more than two months. The planting of trees, rose bushes or any other shrubs, to make a place of internment is not permitted. The council reserves the right to remove items that are outside of the scope that is described.

**This policy will be reviewed annually.**

Signed .....Graham Crompton Howe.....Chairman Owmbly by Spital PC      Date 21/05/2024

Signed .....Gavin Widdison.....Chairman Normanby by Spital PC      Date 13/05/2024

**This policy is uncontrolled when printed or downloaded**

Document Control			
Version	Author	Date	Changes
2	JH	25/01/2023	Item 4 becomes item 6 to allow addition of "Form of Notice" and "Grave Spaces"  Addition in new item 6 – BRAMM accreditation.  Para 6.1.5 – addition of reference to Local Authorities' Cemetery Order 1977 Schedule 3
3	JH	01/05/2024	Item 6.3 added reflecting adoption of disciplinary policy  Addition of Appendix 1 – Disciplinary policy
3	JH	01/05/2024	Item 6.1.6 amended to add the following – "Headstones shall not be erected until at least 6 months after the burial."

## Disciplinary Policy

To ensure that standards are maintained and that all memorial masons are operating uniformly to required standards a disciplinary procedure shall be applied equally and fairly to all masons.

The disciplinary procedure will be based on the following stages:

**Stage 1:** Minor Breach of the Rules or Specification. A minor breach of the Rules or Specification will result in a Minor Infringement Notice given by the Council, assuming the breach is corrected in a timely manner. A Minor Infringement Notice shall be maintained on the memorial mason's record for a period of 12 months then, if no further breaches occur, the warning will be removed from the record.

**Stage 2:** Breach of the Rules or Specification A breach of the Rules or Specification will result in a Written Warning issued by the Council, assuming the breach is corrected timeously. A Written Warning shall be maintained on the memorial mason's record for a period of 18 months then, if no further breach occurs, the warning will be removed from the record.

**Stage 3:** Subsequent Breach of the Rules or Specification If, during the 18 month period, imposed by Stage 2, another breach of the Rules or Specification is committed, or the original Stage 2 breach is not rectified timeously or to the satisfaction of the Council this will result in the issuance of a Final Written Warning. A Final Written Warning shall be maintained on the memorial mason's record for a period of 36 months then, if no further breach occurs, the warning will be removed from the record.

**Gross Misconduct** Certain circumstances shall be considered as Gross Misconduct and will not be subject to the above stages of the disciplinary procedure. The Council will decide, at their discretion, the instances of Gross Misconduct. The following list - though not exhaustive - will be considered as Gross Misconduct:

- Installation or erection of a memorial not approved by the Council.
- Refusal to rectify an error in the installation or erection of a memorial when instructed to do so by the Council.
- Abusive or aggressive behaviour to any Council staff or members of the public.
- Failure to adhere to the Cemetery Regulations or the Conditions of Permit Application.

When a memorial mason is found guilty of Gross Misconduct or commits a further breach of the Rules or Specification whilst the 36-month term, as described in Stage 3, is in effect. An exclusion from council cemeteries will be applied for a period of 2 years, during this period a excluded memorial mason will be forbidden to undertake any work whatsoever within the Council's cemetery and burial ground.

In instances of exclusion for Gross Misconduct the Council may consider advising other local authorities of the circumstances, at their discretion