



**MAWNAN PARISH COUNCIL  
OLD CHURCH ROAD GRAVEYARD**

**BURIAL INFORMATION  
AND  
REGULATIONS**

**Amended Jul 2017**

***Mawnan Community Graveyard is a lawn type, where the area is grassed for ease of maintenance, and maintained at the Council's expense.***

## INTRODUCTION

This is a general document designed to help you understand the way in which the Council's graveyard is run and the current charges. We would be extremely grateful to Funeral Directors in ensuring that this document is passed onto those arranging a funeral in its entirety as it explains many of the questions posed to us later.

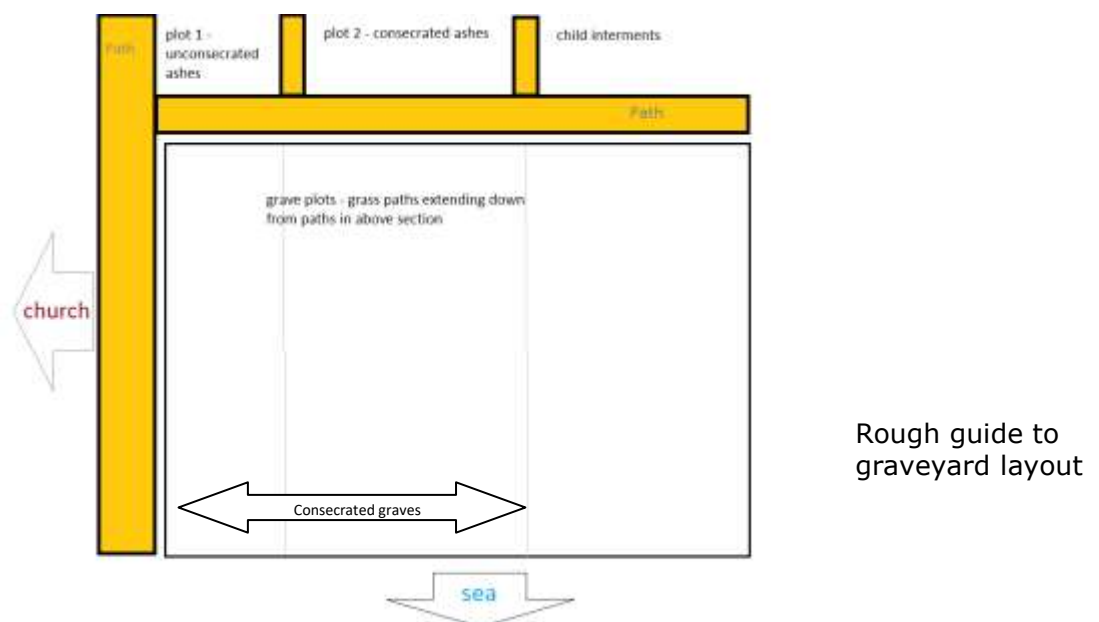
The Graveyard has been purchased through the Parish Precept. The Council recognises that whilst the village is now furnished with sufficient burial plots for an estimated 100 years, ground is still at a premium. Any requests for the burial of *Non Parishioners*, whilst being given sympathetic consideration, will only be granted in exceptional circumstances. *(This does not include long term residents who have gone into a nursing home or similar outside the Parish)*

Under normal circumstances, the Funeral Director will make all the necessary practical arrangements and complete paperwork for all aspects of a burial or interment of cremated remains. They will liaise with the Council's Burials Officer on your behalf. **All inquiries and applications should be made through Mawnan Parish Council Office on 01326 251022 or [clerk@mawnan.org.uk](mailto:clerk@mawnan.org.uk)**

Mawnan Community Graveyard is open 24 hours a day. The Council reserves the right to make closures as may be necessary for repairs or in the interests of public safety at any time. There are also occasions when restrictions to the site may be imposed to facilitate pre-arranged services and/or events. We would appreciate it if the visiting public would treat the site with respect and be considerate to the feelings of others when attending the area.

The intention is for the graveyard to be partially consecrated (initially the first 7 rows across from the entrance), along with the area set aside for Children's burials, leaving some space for those not wishing to be buried in consecrated ground.

A section of the graveyard will be set aside specifically for the interment of cremated remains. Plot 1 will remain unconsecrated, Plot 2 will be consecrated. As we have no specific 'Garden of Remembrance' planned memorial stones, without the interment of ashes, are also accepted within this area. Only small upright headstones (no greater than 18" high, 12" wide & 4" thick) are allowed in this area.



Registers of Burials and Graves and Graveyard plans are kept at Mawnan Parish Council Offices on 01326 251022. The Burials Officer will be happy to provide assistance in tracing a grave or with general inquiries, however please note that checking for historical information (prior to June 2015) may take some time as records will need to be obtained from other sources.

## 1. Grant of 'Exclusive Rights of Burial' (Deed of Grant)

Authorities may grant under Article 10(1) of the Local Authorities Cemeteries Order 1977, on such terms and subject to such conditions as they think proper, the Exclusive Rights of Burial in a grave. The said rights subsist for the specified period of the grant, which starts from the date of the grant and must not exceed 100 years. The grant may be renewed, but only up to a maximum of 100 years at any one time. Should the grant not be extended, the Exclusive Rights of Burial will revert to Mawnan Parish Council or its agents. It is important that this document be kept safe as the owner of the Deed of Grant will be to produce this document when and if subsequent interments are to take place.

Exclusive Rights of Burial are subject to Mawnan Parish Council Graveyard Regulations. When a grave is 'purchased' this refers to the 'Exclusive Rights of Burial' for that grave space and **NOT** the purchase of the actual land.

Owners of the Grant of Exclusive Right of Burial are responsible for notifying the Burials Officer should any change take place to their contact details. Any person wishing to transfer the ownership of the Grant of Exclusive Right of Burial should contact the Burials Officer to obtain the necessary forms. Two Interments of cremated remains are permitted for each cremation plot owing to the size of the plot and the memorial.

This document includes the current Graveyard Management Regulations. Any changes made to the Graveyard Management Regulations will not result in a reissue, but the latest version will always be available on the Parish Website. If anyone requires a paper copy, this can be requested from the Burials Officer.

It is the responsibility of the Owner of the Grant of Exclusive Right of Burial to manage the grave in accordance with the latest version of the Graveyard Management Instruction.

## 2. How many burials can take place in the grave?

The 'Exclusive Rights of Burial' will be for a pre-determined number of interments. Depending upon the depth at which the grave was originally dug, it may be possible to inter up to three coffins (our standard depth will be for 2 coffin interments). After this, sets of cremated remains may also be interred in the grave. Mawnan Parish Council or its agents will determine the number of burials (this includes cremated remains). It is not possible to inter additional coffins if cremated remains have already been placed in the plot. Purchasing the 'Exclusive Rights of Burial' means that the grave may not be opened and no one may be buried there without the **owner's permission**. Cremation plots are usually dug to accommodate multiple sets of remains, but we would be grateful if you could let us know if this is likely to be more than the standard 2 interments for our site.

Please note: the parish council has an agreement with **TIM LUGG** to act as gravedigger and would request that all request for interments go to him directly. His contact number is 0136 251066.

### **3. Who owns Exclusive Rights of Burial?**

- a. The Exclusive Rights of Burial may be owned by a single or multiple owner/s. The maximum number allowed by Mawnan Parish Council is four. Ownership does not necessarily confer the right to burial and depends on the available space. If there are, for example four owners and one remaining place in a grave, only the first person to die who wishes to exercise their rights could be buried in the grave.

It is prudent to designate the surviving partner to be the registered owner where a husband and wife or partners wish to be buried together. In this way there is no necessity to transfer the rights of burial from the deceased to the surviving partner and they may be buried in the same grave without any legal complications.

- b. Transferring Exclusive Rights of Burial**

Once the owner/s of the Exclusive Rights of Burial die, the grant becomes part of their estate and no further burials may take place until the Exclusive Rights of Burial are transferred and new ownership is established through a legal instrument.

***Should you require any information on this, the Burials Officer will be happy to arrange an appointment to discuss the legal situation and the necessary documentation appropriate to your individual situation.***

### **4. Can I purchase a grave ahead of time?**

Purchases in advance are not permitted. The allocation of grave spaces is at the discretion of the Council, but specific requests with regards to location will be considered sympathetically.

### **5. GENERAL INFORMATION**

- a. No burial shall take place, no cremated human remains shall be scattered, no headstones shall be placed in the Cemetery, and no additional inscription shall be made on any headstone without the permission of Mawnan Parish Council or its agents. Please do not ask your memorial mason to start any works until they have been agreed and authorised by the Parish Council.
- b. If you wish to place a headstone upon a grave you must first purchase the Exclusive Right of Burial and any works should conform to the Code of Working Practice issued by the National Association of Memorial Masons (NAMM). You must then obtain the "Right to Erect a Memorial". Normally your memorial mason will do this for you.

The Right will be granted for a specific headstone and for the specified time period of **50 years**. Only memorial masons approved by the Council may erect headstones in the Council's cemetery.

For specific information regarding gravestones/ markers please refer to page 7 of this document.

Your mason should be able to advise you of the Council's requirements so that your chosen design is acceptable.

- c. All applications should be made by a Council approved Memorial Mason and submitted to the Council together with a drawing showing dimensions, method of construction, proposed inscriptions, method of fixing and description of the type of materials to be used and shall be in accordance with the National Association of Memorial Masons specification for the construction and fixing of memorials.
- d. Owners must keep all headstones or other memorials in good repair. If a memorial becomes dangerous for want of maintenance or repair, the Council may serve Notice requiring the owner(s) to repair or remove it. If, after expiration of the Notice, the owner(s) fail to do so, or if the Council is unable to trace the owner(s), the Council may remove the memorial. The Council will not be liable to compensate the owner(s) in such a case. (Powers under Article 16(2) and Schedule 3 of the Local Authorities Cemeteries Order 1977).
- e. **Floral Tributes, Receptacles & Planting**  
Anything placed on any grave other than a memorial becomes the property of the Council and may be removed and disposed of at the Council's discretion. Any proceeds from disposal would go towards maintenance of the site.

Floral decorations may be placed on any grave. When these are seen to be deteriorating it would be appreciated if they could be removed and non-compostable elements disposed of. The Council reserves the right to remove and dispose of them if the owner fails to do so. In the case of artificial or faux flowers it will be if they become badly damaged or show significant signs of deterioration.

The Council reserves the right to remove without prior notice, any receptacle for flowers, damaged wreaths, ornaments (including solar lights, etc. which it considers unsuitable or broken. Glass containers (jars) are strictly prohibited.

Materials used to secure wreaths to the ground must be of natural materials or they should be secured to the headstone to prevent them blowing away. Any objects such as metal pins/hooks are prohibited and will be removed without notice.

We request that no-one plants directly onto graves or surrounding areas. You are welcome to place potted plants or flowers at the head of graves, on or near the headstone if secured. Any pots must be kept in good order and removed if plants fail to thrive.

**f. Access Paths**

Provisions for grassed paths are included within the management plans of the sites. These will be maintained to a suitable level by the Council. No supplementary pathways or rights of way are to be marked out without prior consent of the Council.

Due to the nature of the site, paths are of a variable standard and may become slippery depending on the prevailing weather conditions. We ask that all persons using both the new Community and the old Parish Church Graveyards take care walking round to avoid accidents.

**g. Topping Up**

Gradually, over the years, the earth on used grave spaces compacts. This causes the ground level to sink slightly. The Council has provided soil for topping up and would ask you use this where necessary.

Please replace the existing turf on top to keep the ground level for ease of maintenance.

**h. Dogs in Cemetery**

Dogs are welcome, but owners are asked to clean up after them and take any waste home for disposal. The only bin located in the cemetery (outside the lychgate) is for normal waste.

**i. Payment of Fees.**

Fees for purchases and interments arranged by a Funeral Director will be included in the account that they will send to you.

**j. Seating**

Seating may be purchased in memory of loved ones. The Council will provide details of the design and manufacturer. Once in situ, the seats will become the property of the Council. The number of seats allowed will be at the discretion of the Council.

**6. Please advise us if you change your address.**

This is most important to enable us to keep our records up to date. As owner of the Rights to a grave you are responsible for informing the Council of any change of address.

If a problem occurs with the grave or the monument and we cannot contact you, we have the right to take whatever action is necessary to rectify the problem. If this involves a cost to the Council, this may be levied against the grave, and must be paid before any more interments can take place.

**7. YOU ALSO HAVE THE RIGHT TO BE BURIED IN AN UNPURCHASED GRAVE.**

An unpurchased grave represents the least expensive burial option; all you pay for is the funeral. The grave itself remains the property of Mawnan Parish Council and we will use it to bury other people who want an unpurchased grave (please refer to Item 2 to see how many other interments could be expected per plot).

No memorial will be allowed over any grave in which the Exclusive Right of Burial has not been purchased. You should not expect to be able to bury another relative in the same grave.

## **BURIAL REGULATIONS**

Regulations made by Mawnan Parish Council to take immediate effect with regard to the erection of headstones and the provision of flower vases in the Community Graveyard at Old Church Road, Mawnan Smith.

Headstones are only allowed at the head of each grave or plot. No planting will be undertaken within the grave space or the grave space altered in any way. Items such as ceramic flower pots are permitted, but must be positioned at the head of the grave. Solar lights, toys and similar ornaments are strictly forbidden.

The Council reserves the right to re-locate these if they are not in the correct position. The Council will not undertake to keep clean or maintain memorials, which will remain the responsibility of the owner.

1. No headstone shall exceed an overall height of 4 feet or below 2 feet six inches above ground level. The width shall not be greater than three feet or below one foot eight inches and to be constructed of granite or slate.
2. No headstone shall exceed 6 inches in thickness or below 2 inches.
3. The plinth or base of the headstone shall not exceed 3 feet in width and 1 foot in thickness.
4. Memorials within the area set aside for cremations shall upright memorials of no greater size than 18 inches high, 15 inches wide, 4 inches thick. Memorial stones, without the interment of ashes, are also accepted within this area.
5. To permit the Graveyard to be laid out and maintained on a lawn type principle there shall be no kerbstones, nor planting of flowers or shrubs or any other ornamentation in front of the plinth on the graves.
6. All graves should be refilled level with the existing ground and excess rubble be removed from the Graveyard. Mawnan Parish Council has nominated a local gravedigger as sole contractor. Your Funeral Director will be fully aware of this.
7. If a mechanical digger is used to dig graves, undertakers are required to make good the ground, should any damage occur, to the satisfaction of the Parish Council.
8. No planting of flowers or shrubs shall be carried out in the Graveyard without the prior approval of the Parish Council.
9. No receptacles other than flower vases especially designed for the purpose may be placed on grave spaces and then only within the immediate confines of the headstone plinth.
10. The design, the colour of designs and wording on all headstones must first be approved by Mawnan Parish Council's Burials Officer and be submitted by Council approved masons working to NAMM specifications.
11. All waste associated with setting memorials in the ground MUST be removed by the contractor responsible.

## FEES AND PAYMENTS AS FIXED BY MAWNAN PARISH COUNCIL 2017/18

The fees, payments and sums as set out below apply where the person to be interred is, or immediately before his or her death was, an inhabitant or parishioner of the Parish of Mawnan, or in the case of an infant under 1 month, where the parents (or one of them) are, or at the time of interment, were such inhabitants or parishioners. In all other cases the fees, payments and sums will be as indicated below. The fees indicated **EXCLUDE** the cost of digging graves, Minister's fees and the funeral directors fees.

First interment fees include the Exclusive Rights of Burial unless stated otherwise. For details on unpurchased interment fees please contact the Burials Officer.

	Parishioner £	Non-Parishioner £
<b>First Interment – Burial</b>		
Person over 12 years at time of death	400	1000
Person under 12 years at time of death	0	150
Infants under the age of 1 month	0	On request
<b>Subsequent Interments - Burial</b>		
Person over 12 years at time of death	200	500
Person under 12 years at time of death	0	150
<b>First Interment - Cremation plot (2' Deep)</b>	150	300
<b>Subsequent interments Cremation</b>		
In grave space – person over 12 years (full depth)	100	300
In grave space - person under 12 years (full depth)	50	250
In cremation plot (or grave space at 2' depth)	75	150
<b>Erection of Memorials and Monuments including gravestones, tablets, plaques inscriptions etc</b>		
Permission to erect a headstone/ remembrance plaque (50 Years)	100	300
Vases where there is no headstone (not applicable to cremation plots)	30	90
Second or subsequent inscriptions	25	75
Wooden Cross or similar ornament	60	180
<b>Miscellaneous Charges</b>		
Search for Register of Burials including certified copy of an entry of burial in the register books	20	40
Transfer of Exclusive Rights of Burial	25	50

### Cheques made payable to Mawnan Parish Council



**Application for Interment at Mawnan  
Community Graveyard**



This application must be delivered to Mawnan Parish Council Offices, c/o MS Electrical, The Square, Mawnan Smith. TR11 5EP (email [clerk@mawnan.org.uk](mailto:clerk@mawnan.org.uk)) **no later than noon three working days before the burial.** It is essential this form is signed by the next of kin/ executor – it represents our legal agreement.

Name of Funeral director			
Day, date and time of burial			
Full name of deceased			Maiden name
Address (including postcode)			
Date of death		Age	
Place where death occurred			
Was deceased a resident of Mawnan?	<b>YES / NO</b>		
Occupation (before retirement)			

Request for the interment of a coffin / ashes (please give dimensions of coffin if possible)
Name of officiating minister (if any)
Intention for a Memorial Service to take place prior to interment or straight to grave <b>Please do not ask your memorial mason to start any works until they have been agreed and authorised by the Parish</b>
Interment in consecrated / un-consecrated ground required
Planned number of interments in plot (if more than standard number of 2)
Intention for a memorial headstone/marker to be installed at a later date <span style="float: right;">yes/no</span> (please note the additional form ' <i>To Install /Amend a Memorial</i> ' will need to be completed prior to placing.)

**How information about you will be used**  
In accordance with our responsibility under the Data Protection Act, you should be aware that the personal information you are giving will be held so that you are provided with the best possible support.

We only share your information with external organisations or individuals where we have a legal obligation to do so, for example, to prevent and detect fraud and corruption and will sanction the use of your personal information for direct marketing purposes.

Please tick **one** of the following and complete as necessary.

**Unpurchased grave**

I would like the burial to take place in an unpurchased grave. I understand that if I do not buy the exclusive right of burial to the grave the Council may bury other unrelated people in the grave. I understand that no memorials will be permitted on the grave.

**New grave**

I would like the burial to take place in a new grave and would like to buy the rights for 100 years. I have been given and have read Mawnan Parish Council's General Information & Regulations document. I have been advised of the location of the next available plot(s).

**Cremation Plot**

I would like to have cremated remains interred into a designated plot and would like to buy the rights for 100 years.

**Previously purchased grave to be reopened**

I would like the burial to take place in an existing grave within Mawnan Church/ Mawnan Parish Graveyard and have agreed this with the church officers there  
(delete as applicable)

I am the registered owner of the grave/next of kin/executor of the owner (delete as applicable)

If none of the above please state your relationship to the deceased grave owner

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_

**Full name** \_\_\_\_\_  
(please print)

**Address** \_\_\_\_\_  
\_\_\_\_\_ **Postcode** \_\_\_\_\_

**Email** \_\_\_\_\_ **Telephone number** \_\_\_\_\_

**Relationship to deceased :**

N.B. Mawnan Parish Council can only authorise the opening of a purchased grave with the permission of the owner or for burial of the owner. In all other cases ownership must be transferred to someone who can prove that they are entitled to receive the ownership rights. Whilst the Council will offer all assistance in establishing the means of transfer, responsibility remains with the funeral arranger to have clarified this matter before booking.

Fees		Details of funeral director/arranger
Purchase		
Burial		
Memorial		
Total		
Receipt number		



## Application to install/amend a Memorial in Mawnan Community Graveyard

This application must be delivered to Mawnan Parish Council Offices, c/o MS Electrical, The Square, Mawnan Smith. TR11 5EP (email [clerk@mawnan.org.uk](mailto:clerk@mawnan.org.uk)) and agreed to before any permanent memorial is situated. Please do not ask your memorial mason to start any works until they have been agreed and authorised by the Parish Council.

Please see Mawnan Parish Council's General Information & Regulations for specific fees. For guidelines the normal parishioner fee for first headstone is £100, with £25 for subsequent inscriptions. Stand-alone Memorials for a parishioner are £60.

It is essential this form is signed by the next of kin/ executor – it represents our legal agreement.

Full name of deceased	
Date of burial	
Grave number if known	
Details of Funeral Director/ Memorial Mason	

Please tick **one** of the following and complete as necessary. We urge you to have read Mawnan Parish Council's General Information & Regulations document before ordering your memorial.

Only persons holding the Exclusive Right of Burial may authorise placement or amendment of memorials where there have been interments. A copy of this will need to be affixed before permission is granted.

### New memorial (marking an interment)

I would like a new memorial to be placed on the interment site of \_\_\_\_\_ and would like to buy the rights for **50 years**.

### New Memorial (no interment)

I would like a memorial to be placed within the designated area and would like to buy the rights for **50 years**. I understand that no Exclusive Right of Burial goes with this request.

### Amendment to a current memorial

I would like the current memorial for \_\_\_\_\_ to be amended to include further details

I am the registered owner of the grave/next of kin/executor of the owner (delete as applicable)

Signed \_\_\_\_\_ Date \_\_\_\_\_

Full name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_

Email \_\_\_\_\_ Tel. number \_\_\_\_\_

Relationship to deceased :

**Details of New Memorial:**

This memorial would be for: a full burial, interment of cremated remains, memorial purposes only  
(please delete as applicable)

Material to be used & intended finish:

(please include a rough sketch showing intended inscription and dimensions below)

**Overall Size:** \_\_\_\_\_ (h) \_\_\_\_\_ (w) \_\_\_\_\_ (d)

Base: included/ additional to above by \_\_\_\_\_ (h) \_\_\_\_\_ (w)

**Inscription:** (please write clearly)

**How information about you will be used**

In accordance with our responsibility under the Data Protection Act, you should be aware that the personal information you are giving will be held so that you are provided with the best possible support.

We only share your information with external organisations or individuals where we have a legal obligation to do so, for example, to prevent and detect fraud and corruption and will sanction the use of your personal information for direct marketing purposes.

**Official Use only:**

**Received:**

**Receipt number:**

**Approval Granted**

Yes/ No / More info required

**Approved by:**

**Dated:**

*A copy of this application will be returned to the Memorials Mason once agreed by Mawnan Parish. Please do not start works until received.*