



Oswestry Rural Parish Council

## Cemetery Management Plan

### Trefarclawdd Cemetery



#### Location

Trefarclawdd cemetery is located just off Trefonen Road, heading towards Coed y Go, on the road to Morda. It is an open cemetery with space allocated for burials and cremated remains. It was opened as a cemetery in 1960 when it was known as Trefonen Cemetery. However, in 2008 it was re-named Trefarclawdd Cemetery so as not to be confused with the cemetery in Trefonen.

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## Legislation

The Local Government Act 1972, Section 214(1) classes parish councils as burial authorities. Section 214(2) allows parish councils to provide and maintain cemeteries whether in or outside their area. Section 214(6) allows burial authorities to contribute towards any expenses incurred by any other person in providing or maintaining a cemetery in which the inhabitants of the authority's area may be buried.

The Burial Act 1853, Section 1 makes provision for churchyards to be closed. The Local Government Act 1972, Section 215 makes provision for parish councils to maintain closed churchyards in decent order including keeping its walls and fences in good repair.

The Local Authorities Cemeteries Order 1977 (L.A.C.O.), Article 3 gives a burial authority general powers of management. Subject to the provision of the Order, a burial authority may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery.

The Health and Safety at Work Act 1974 and all subsequent secondary legislation also applies.

The Data Protection Act 2018 does not apply to dead people. However, the information held by the Council of living families related to the dead shall be retained indefinitely to comply with current legislation.

The Clerk has been appointed by the Parish Council as the officer appointed to manage the cemetery, including its record keeping and permissions for interments and associated works.

## Rules and Regulations

L.A.C.O. 1977, Article 9 requires burial authorities to maintain a plan that shows and allocates distinctive numbers to all graves or vaults, and grave spaces.

The Council's cemetery plan (map of interment spaces) shall be kept up to date so that a correct record of all burials is maintained. All burials and grave purchases shall be entered in the appropriate register and kept up to date. No grant of burial rights shall exceed 100 years from the date of the purchase. The burial registers shall record:

- The number of the Exclusive Right of Burial.
- Date of burial.
- Full name of the deceased.
- Age of the deceased.
- Address at which the deceased was living at the time of death.
- Grave number.
- Any other pertinent particulars.
- The Clerk's signature.

The register of purchased graves shall record:

- Date of grant.
- Name and address of grantee.
- Fee.
- Grave number.
- Duration of the grant.

All entries shall be made in durable black ink.

Where the burial or cremated remains is that of a still-born child the words "Still-born Child of" shall be written in the 'names in full' column and the "Age" column left blank. The address of the parent(s) shall be entered in the "Address" column.

All entries shall record whether the interment is a burial or cremated remains.

The Council shall not allow any burial, cremated remains to be scattered, no memorial placed, or inscription added, without the permission of the Clerk.

The Council has in place the following policies that govern the management of the cemetery:

GOVERNING DOCUMENT	CONTENTS
Rules and Regulations	<ol style="list-style-type: none"> <li>1. Change of address</li> <li>2. Hours of interments</li> <li>3. Notice of interments</li> <li>4. Burials and memorials</li> <li>5. Depth of private graves</li> <li>6. Surplus soil</li> <li>7. Admittance of workmen</li> <li>8. Exclusive right of burial</li> <li>9. Payment of fees and charges</li> <li>10. Erection of monuments</li> <li>11. Approval of inscriptions on monuments</li> <li>12. Grave numbering</li> <li>13. Repairs to graves and monuments</li> <li>14. Flower receptacles</li> <li>15. Glass shades</li> <li>16. Damage</li> <li>17. Conduct of visitors</li> <li>18. Planting</li> <li>19. Damaged flowers and wreaths</li> <li>20. Decoration of graves and memorials</li> <li>21. Gratuities</li> <li>22. Maintenance after interment</li> <li>23. Grass cutting</li> <li>24. Memorials</li> <li>25. Memorial seating</li> <li>26. Games (prohibition)</li> <li>27. Official plan</li> </ol>
Application for grave space	Details of new grave required including: <ul style="list-style-type: none"> <li>• Grave number</li> <li>• Grave description</li> <li>• Contact details of grave owner</li> <li>• Signature of applicant</li> </ul>
Guiding principles for the management of the cemetery	<ol style="list-style-type: none"> <li>1. Caring for the community</li> <li>2. Service sensitivity</li> <li>3. Staff</li> <li>4. Environmental issues</li> <li>5. Individual service</li> </ol>
Notice of interment	<ol style="list-style-type: none"> <li>1. Details of deceased</li> <li>2. Details of interment</li> <li>3. Details of service</li> <li>4. Details of existing grave</li> <li>5. Details of new grave required</li> <li>6. Details of proposed grave owner</li> <li>7. Signature of applicant</li> </ol>
Memorial safety policy	<ol style="list-style-type: none"> <li>1. Reason for policy</li> <li>2. Responsibilities required</li> <li>3. The Council's responsibilities</li> <li>4. The responsibilities of the monumental mason</li> <li>5. The responsibilities of the deed holder</li> <li>6. Notice of intent</li> </ol>

GOVERNING DOCUMENT	CONTENTS
	<ol style="list-style-type: none"> <li>7. Formal inspection programme</li> <li>8. Risk levels</li> <li>9. Memorial make-safe/repair/re-fixing</li> <li>10. Communication of memorial testing</li> </ol>
Memorial application for erection or additional inscription	<ol style="list-style-type: none"> <li>1. Grave/plot number</li> <li>2. Name of deceased</li> <li>3. Name and address of monumental mason</li> <li>4. Name and address of owner of exclusive right of burial</li> <li>5. Design of memorial and inscription details</li> </ol>
Memorial permit	<ol style="list-style-type: none"> <li>1. Permit number</li> <li>2. Grave number</li> <li>3. Details of requirements of the National Association of Memorial Masons (NAMM) Code of Working Practice</li> <li>4. Declaration of compliance with NAMM Code by memorial mason</li> </ol>
Record of permit register	<ol style="list-style-type: none"> <li>1. Permit number</li> <li>2. Applicant</li> <li>3. Grave number</li> <li>4. Monumental mason</li> <li>5. Date permit issued</li> <li>6. Date permit returned</li> </ol>
Cemetery inspection of memorials	<ol style="list-style-type: none"> <li>1. Plot number</li> <li>2. Name on memorial</li> <li>3. Comments/risk level</li> <li>4. Action required</li> </ol>

### Health and Safety

Procedures should be in place to do all that is reasonably practicable to ensure that people are not exposed to risks to their health and safety. This includes contractors and visitors.

The Council shall ensure that the cemetery is a safe place to visit.

### Risk Management

The Council has various policies in place to ensure that risk is properly managed. It has a Memorial Safety Policy and contractors work in compliance with health and safety requirements.



### Memorial Safety

The Health and Safety Act 1974 puts a duty on the Parish Council to ensure that, so far as is reasonably practicable, the risks to the safety of all persons visiting or working at the cemetery, including contractors, are properly controlled. All relevant health and safety legislation and regulations must be followed.

In order to reduce the risk of accidents memorials will be regularly inspected, at least once every five years, to ensure they are sufficiently stable. A record of inspections will be kept and if any memorial is found to be unsafe appropriate action will be taken.

## Grounds Maintenance

The Council shall ensure that the cemetery is well maintained to a high standard. The specification for grounds maintenance will be reviewed every 3 years and contractors will be invited to submit tenders in accordance with the Council's Standing Orders and Financial Regulations.



The appointed contractor shall satisfy the Council that:

- a) They have available suitable and well-maintained equipment to carry out the work.
- b) All persons to be engaged in the work have been properly trained in the use of equipment, weed killers and other materials, and that they have been made fully aware of the nature of the equipment and materials, and possible dangers to themselves and others arising from their transport storage or application.
- c) They have adequate insurance cover against third-party claims which might arise from negligence whilst performing the work.
- d) They have adequate employer's liability insurance cover in respect of any employees engaged with the work.
- e) They are in a position to comply with all statutory requirements with regard to the performance of the contract.

Grounds maintenance shall be carried out as follows:

- Grass cutting on a 14-day cycle.
- Paths sprayed to suppress weeds, twice per season.
- Hedge cut one in summer and once in autumn.
- Conifer hedge to be cut once in winter.

### Storage of Records

The Parish Council must keep and store the following records so as to preserve them from loss or damage:

- a) A cemetery plan showing burials/grave spaces maintained by the Parish Council.
- b) A Register of Graves.
- c) A Register of Burials.
- d) A record of disinterments.
- e) A register of grants of burial and memorial rights and any extensions.
- f) A register of rights granted under previous legislation
- g) A record of memorials and their inscriptions which have been removed from graves by the Parish Council under its statutory powers.

### Fees

The Council shall review its fees and charges from time to time in connection with:

- Burials.
- Grant of a right to place and maintain a memorial.
- Grant of a right to put an additional inscription on a memorial.

