**PELENNA COMMUNITY COUNCIL – MACPELAH CEMETERY**

**RULES AND REGULATIONS**

**Introduction**

Macpelah cemetery is managed in accordance with the Local Authorities’ Cemeteries Order 1977 under which burial authorities are responsible for maintaining statutory burial registers and grave plans, establishing rules and regulations relating to the management of the cemetery and the memorials permitted within them and setting fees for burials and memorials. The regulations include the statutory requirements contained within the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977 together with any other relevant legislation that governs this service.

Pelenna Community Council reserves the right to make alterations or additions to these Rules and Regulations and their Fees and Charges.

All enquiries concerning Macpelah Cemetery should be made to:- David Mackerras Clerk to the Council 2 Burnham Drive Newton Swansea SA3 4TW Tel: 01792 361526/07717 883849

Email: davidmackerras@outlook.com.

**Cemetery records**

The Community Council maintains records of all burials undertaken within Macpelah cemetery. A genealogy fee is charged for staff to search and provide details of these records. As soon as is reasonably practicable all details relating to a burial are recorded by the Council. Grave Deeds relating to newly purchased graves are sent directly to the purchaser of the exclusive rights of burial.

**Burials**

At least 72 hours notice is required for any interment, exclusive of Saturdays, Sundays, Christmas Day, Boxing Day. Good Friday or Bank holidays.

All notices of interment/scattering must be delivered to 2 Burnham Drive Newton Swansea SA3 4TW, on the form supplied by the Council at least three working days (72 hours) prior to the time the burial is due to take place, when this form has been accepted no alterations will be permitted. It is therefore important that this form is completed clearly and checked by the applicant before signing as the Council will not be responsible for any misunderstandings which may arise as a result of any telephone instructions. No funeral can take place without a Certificate for Disposal or the Coroners Order for burial, failure to provide this will result in a delay of the burial until the certificate can be produced. Any additional expense incurred by the Council as a result of incorrect or missing information/paperwork will be charged to the person making the application.

A burial can take place with or without a religious service. It is the responsibility of the funeral director or bereaved family to arrange for a Minister or other persons authorised to officiate at the burial.

The allocation of a new grave space is managed by the Clerk to the Community Council.

The number of burials that can be accommodated in a grave space is dependent on a number of factors including the ground conditions at the time the grave is excavated. We will, however, do our best to accommodate your request if we can do so safely and in accordance with legislation.

A certificate of cremation must be produced before the interment or scattering of cremated remains of any person in the Cemetery. Cremated remains graves are available at Macpelah Cemetery. The number of cremated remains that can be interred in these graves is dependent upon the size of casket used but will not exceed four sets. Cremated remains can also be interred in full size graves. Full size graves can hold numerous cremated remains but thought should be given to the limited available space for inscriptions on memorials.

Shrubs or trees are not permitted to be planted on any grave space, and the council reserves the right to remove them at any time.

**Fees and charges**

 A table of fees is available on Pelenna Community Council website, [www.pelennacc.co.uk](http://www.pelennacc.co.uk/) and upon request. The Council reserves the right to revise these fees and charges.

**Graves - Purchasing a private grave space**

 You can purchase burial rights at the time an interment takes place or in advance of an interment to reserve a grave space for use in the future. When a grave is ‘purchased’ this refers to the purchase of the exclusive right of burial in the grave space and not the purchase of the land itself. This means that you do not own the land but have the exclusive right to say who can be buried in the grave. In accordance with The Local Authorities Cemeteries Order 1977 **all** burial rights are issued for a fixed period. Pelenna Community Council currently issues them for a period of 25 years, from the date of issue, and you have the option to renew the rights at the end of this period.

When you purchase burial rights you are issued with a Grant of Exclusive Right of Burial, with details of the grave number and its location. The number of burials that can be accommodated in the grave space is not specified as this is dependent on the ground conditions at the time the grave is excavated.

**Opening of a purchased grave**

Only the owner of the exclusive rights of burial can authorise the opening/reopening of the grave space by signing an interment form. In the event that the exclusive rights of burial are jointly owned, all owners should authorise the opening/reopening of the grave space by signing an interment form, and the agreement must be unanimous. If one owner is not agreeable, or not contactable the grave space cannot be opened/reopened. If the owner is to be interred/scattered in the grave space the authority must be signed by the next of kin, the person who will prove the will, or such person as may be approved by the Clerk to the Council. If the registered owner is not available e.g. abroad, and cannot be contacted the grave cannot be opened/reopened. If the owner is deceased it will be necessary to make arrangements to officially transfer the ownership prior to the requested opening of the grave and this can be done by contacting the Clerk to the Council.

**Other matters**

If a grave is to be re-opened for further burials it is the responsibility of the owner of the burial rights to arrange for the memorial to be removed so that the grave can be excavated. Your appointed Funeral Director will usually organise this on your behalf.

Only Stonemasons authorised by Pelenna Community Council and have provided proof of their Public Liability Insurance are permitted to work within the cemetery. The Mason will provide all tools and materials required for the erection of a memorial. After work on the erection of a memorial has commenced it must be continued during working hours until completion. All equipment and materials must be removed at the end of each day and the site should be left in a safe condition. Memorials must not be fixed in unsuitable weather or whilst the ground is in an unfit state, the opinion of the Community Council in these respects being conclusive. With the consent of the owner, the mason may cut his name on the memorial but not his address or any other particulars.

All memorials are the sole responsibility of the owner of the Exclusive Right of Burial they are responsible for ensuring that the memorial is kept in a good, safe condition and the Council cannot accept any liability for repairing damaged or fallen memorials, or be responsible for any damage/theft or vandalism or any other circumstances beyond the control of the Council. The Council strongly recommends all grave owners obtain an appropriate insurance to protect the memorial from unforeseen circumstances. The Council will periodically inspect the safety of memorials. Any memorial classified as unsafe will be reported to the grave owner in order for them to arrange immediate repair, it is therefore important that contact details are kept up to date, and the Community Council must be informed of any change of address.

The Council reserves the right to:-

 Lay flat or make safe any memorial headstone that has been identified as unsafe.

 Remove any unauthorised memorial from a grave.

 Remove any memorial, which they deem objectionable or of unauthorised type or size.

No memorial shall be removed from the Cemetery without the permission of the grave owner and without the consent of the Council.

Memorials and any associated stretcher or foundation stones removed for any interment must be taken away from the cemetery.

The fees payable to the Council for the right to erect a monument and to place inscriptions are set out in the current table of fees and charges which is available on the Pelenna Community Council website or on request. Only approved memorials will be permitted to be erected. The position of memorials will be subject to the approval of the Community Council.

**Memorial permits**

The Memorial Mason will receive a permit notice allowing him to carry out the erection of, or alteration to, any memorial, or the cutting of an inscription. This permit must be signed by the owner of the Exclusive Right of Burial. No memorial or inscription will be admitted into the Cemetery without the consent of the Council given in writing on an official permit. All memorials will be of the prescribed dimensions and erected or fixed subject to the payment of the prescribed fees and charges and in accordance with the Rules and Regulations in force. It is a condition of the memorial permit that all memorials installed within the Cemetery must first have the grave number and section letter clearly and conspicuously inscribed upon it before installation whether they are new or refixed. Memorial Masons that do not abide by this condition will be refused installation. The Council may remove at the expense of the grave owner any memorial that has been installed without the necessary authorisation.

**Size and construction of memorials**

Memorials and headstones can be made of natural granite, marble, sandstone, slate, limestone or other materials as approved by the Community Council. The council reserves the right to refuse permission for a memorial to be placed in the cemetery when the inscription, type or colour of materials used is out of character with the surrounding setting or is deemed inappropriate or offensive by the council.

**Cemetery Maintenance**

Maintenance is carried out throughout Macpelah cemetery. A tap and facilities to dispose of litter are provided for your convenience. Grass cutting is usually undertaken between March and October; however, spells of heavy rain can delay grass cutting and increase growth rates, often at times, such as early summer, when the growth is at its fastest.

In March/April of each year Grave owners are respectfully invited to contribute a modest Annual donation towards Grass cutting/Cemetery maintenance.

**Behaviour in cemeteries**

All visitors to the cemetery must behave in a respectful manner and must not interfere with any burial taking place. Any person, who damages, defaces or destroys any property or causes any nuisance within the cemetery will be liable to prosecution. No demonstration of any kind shall be allowed within the cemetery or any religious service other than the service at the time of interment, without prior consent of the Council.

**Dogs**

Dogs must be kept on a fixed lead (Max length 2 metres) at all times whilst in the cemetery and owners are required to be considerate of the bereaved and other cemetery users and clean up after their dog (especially faecal matter).