

## Cemetery Regulations

### **Policy Introductions:**

St Endellion Parish Council is responsible for the overall safety (duty of care) within its cemetery, under the Health and Safety at Work Act 1974 (HSWA) and the Occupiers Liability Act 1957 to ensure that, as far as reasonably practicable, the site is maintained in a safe condition.

St Endellion Parish Council also acknowledges the social obligations of the cemetery; to provide an area for the living to commemorate those who have died and a focal point to appreciate the lives of previous generations.

As a mostly unbuilt environment it also provides an open space for flora and fauna to flourish. St Endellion Parish Council may introduce a conservation management plan to be reviewed regularly in conjunction with the overall cemetery policy.

### **Policy:**

St Endellion Parish Council reserves the right to remove, without notice any memorial, which they deem objectionable or of unauthorised type or size, or items which are damaged or broken. Likewise, anyone who erects a memorial or who undertakes any memorial work not in compliance with these regulations and which in the opinion of the Council disfigures the cemetery or offends public decency, may be compelled to remove the said memorial and pay all costs.

Children under the age of 12, attending the cemetery, must be accompanied by an adult.

Animal remains, including ashes are not permitted to be interred within the cemetery.

Items left in the cemetery are done so at the owners risk. St Endellion Parish Council does not accept liability for individual items, including any removed for storage within the cemetery.

Plot location will be allocated at the discretion of St Endellion Parish Clerk.

Existing memorials do not set a precedent for new memorials.

Consultation with the local diocesan registrar will be necessary if major works such as levelling of graves or exhumation are planned.

### **Headstone Management:**

It is St Endellion Parish Council's intention to follow the latest guidance from the Institute of Cemetery and Crematorium Management (ICCM) on memorial safety and to take appropriate action to any memorial deemed unsafe within the cemetery.

It is the grave owners responsibility to ensure memorial stones are kept in a good state of repair. Any stone requiring attention the owner will be contacted in order for the works to be carried out and to cover all costs.

Where contact has been lost with grave owners or their heirs-at law, St Endellion Parish Council has responsibility under Local Authorities' Cemeteries Order 1977 (LACO) and HSWA 1974 to manage the cemetery to maintain safety.

St Endellion Parish Council operates a Memorial Inspection every 5 years. Notice of memorial inspections will be publicised in Trio, on social media and notices within the cemetery.

Where a memorial headstone is found to be in a dangerous or dilapidated condition immediate remedial action will be taken to reduce any potential danger. Relevant information on the condition of the memorial will be sent to the owner, where possible and a note attached to the memorial.

### **All memorial works:**

Work to memorials must be supervised by a stonemason who's registered as an approved contractor, a member of The British Register of Accredited Memorial Masons (BRAMM) and/or National Association of

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Memorial Masons (NAMM) Code of Conduct. And with compliance of current Health and Safety legislation (BS 8415).

Any contractor must have public and product liability insurance of at least £5,000,000 and provide it to the Parish Clerk, if requested. Also, the memorial mason should issue a guarantee of conformity to the grave owner and St Endellion Parish Council, a copy of which will be maintained on file.

Subsidence of graves will be assessed regularly and if required a top up of soil will be applied. Where possible the turf will be removed, the grave levelled and the turf relaid.