

Cosby Cemetery

Rules & Regulations

Welcome to Cosby Cemetery

AD: 1901



Peace, Tranquillity and Respect

Please familiarise yourself with the

Rules and Regulations of Cosby Cemetery

Cosby Parish Council - The Burial Authority

Rules & Regulations

Funeral Directors are requested to bring these Rules and Regulations to the notice of their clients

1. General

Visitors and users of Cosby Cemetery are deemed to have read and accepted the following regulations and conditions.

Copies of the Regulations and Scale of Fees and Charges currently in force are posted on the Parish Council website and the notice board at Cosby Cemetery. The Council reserves the right to review and, without notice, alter these regulations and the accompanying scale of fees and charges.

Cosby Parish Council fully recognise the family lineage and sensitivities of cemeteries and these policies will strive to recognise and protect family lineages in the management of the cemetery.

Should any dispute arise, the decision of Cosby Parish Council (The Burial Authority) is final.

2. General rules for all visitors to the Cemetery grounds

The Cemetery is open to the public and visitors are welcome to enter the land to tend graves, to pay respects to former loved ones or simply to contemplate or pray silently in the tranquil setting.

The Burial Authority reserves the right to exclude the public from the cemetery on such occasions they deem necessary.

Parking and turning of vehicles in the site is strictly for gravediggers, the funeral hearse if required and employees of Cosby Parish Council only.

All dogs must be kept on a lead within the Cemetery boundaries. Please bag all dog waste and take it away from the cemetery. Waste bins within the cemetery **MUST NOT** be used to dispose of dog waste under any circumstances.

Visitors are asked to keep to the paths unless tending a burial plot and to avoid damage to surfaces, plants, seats, signs and monuments and to the flowers and furnishings of graves.

Children must be supervised at all times.

Picnicking, camping, singing or the playing of music (except as part of the funeral rites), the playing of games, horse riding and the use of any kind of weapons are strictly prohibited.

In accordance with Article 18 of the Local Authorities' Cemeteries Order 1977 no person shall:

- a. wilfully create any disturbance in the cemetery
- b. commit any nuisance in the cemetery
- c. wilfully interfere with any burial taking place in the cemetery
- d. wilfully interfere with any grave or memorial or any flowers or plants on any such grave
- e. play any game or sport in the cemetery

The Parish Council asks all users and visitors to the Cemetery to be on the alert for vandalism, littering and disrespectful behaviour and report the same, as soon as possible, to the Police or to the Clerk to the Parish Council.

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Water for flower vases may be obtained from the tap by the entrance or from the rain water collectors adjacent to the Chapel. Please turn off the tap after use and replace any water carrier borrowed.

Litter and dead flowers should be removed from anywhere in the cemetery grounds and placed in the waste bins provided, differentiating between general and green composting waste.

Please help to promote a tranquil atmosphere in this setting and respect the feelings of others visiting the final resting place of their loved ones.

All visitors are asked to close the gates behind them.

3. Exclusive Right of Burial – Reserving a grave or cremation space for you or your family

1. Before any burial may take place in a grave, an 'Exclusive Right of Burial' must be purchased from the Burial Authority (Cosby Parish Council).
2. In order to reserve a grave for him/herself and members of his/her family, an 'Exclusive Right of Burial' may be bought in advance whereupon a legally enforceable deed will be drawn up reserving a specified plot(s) for a first interment up to 100 years into the future. If the right has not been exercised by the end of the 100-year period and the grave remains vacant, the Parish Council will be entitled to resell the exclusive right to someone else. No refund can be made although all administration involved in the transfer will be free of charge.
3. The owner of an unexpired 'Exclusive Right of Burial' may not sell, Will, convey, assign or transfer the right without the written permission of the Parish Council being first obtained and paying the administrative and legal fees, but may use the grave space to bury members of his/her immediate family
4. Exclusive Right of Burial entitles the registered owner the right to:
 - a. be interred in a specific plot
 - b. to determine who is buried in the plot (within the policy rules)
 - c. to apply for the right to erect a memorial, in accordance with the cemetery regulations
5. Ownership of the Exclusive Right of Burial does not imply ownership of the plot of land itself as ownership of all cemetery land remains the property of the Parish Council
6. Except where the previously purchased Exclusive Right of Burial in a specified grave space is being exercised, grave spaces will be allocated in the sequential order of the numbered/lettered spaces shown on the official burial ground plan. Any other allocation will require the specific approval of the Parish Council.

4. Arrangements for funerals

A completed Notice of Interment and the appropriate fees must be received by the Clerk to the Parish Council **not less than five working days before the intended interment.**

Before interment, the following documentation must be supplied to the Burial Authority

- A Registrar's Certificate for Disposal or Cremation
- A Certificate for Burial (green form) or Coroner's Order for Burial

No interment will be permitted to take place without the relevant certificate and failure to produce the relevant certificate will result in the interment being delayed until such time that certificate is produced.

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Interments are permitted Monday to Thursday between the hours of 9.30am to 3.30pm (excluding Bank Holidays). Friday interments are only by specific agreement with the Parish Council and may incur an additional charge.

The time fixed for the interment/scattering ceremony should be the time at which the mourners or cortege arrive and punctuality is requested in order to avoid overlap with other funeral groups.

If the funeral rites are likely to last more than one-hour prior permission must be obtained from the Parish Council.

5. Graves & Cremation Plots

Graves are intended for the interment of two coffins only, however a maximum of two caskets of ashes may also be interred in an occupied burial plot and should normally be a relative of the occupants. Any exception to this rule will only be with the explicit agreement of the Burial Authority.

Once a casket of ashes has been interred in a grave, a coffin will not be allowed to be interred in the same grave space.

Cremation plots are for a maximum of two caskets of ashes only.

Cosby Parish Council reserve the right to refuse an interment in a grave space designated in the "Old Church Section" and the "Old Chapel Section" as marked on the plans if there be any doubt as to the exact and precise nature of the reserved space due to the inaccuracy of the plans. Every reasonable search will be undertaken to provide the exact location of the grave space prior to any such refusal.

No human remains, including cremated remains can be removed from a grave/cremation plot without an Exhumation Licence and notification to the Burial Authority.

At the first opening the grave shall be dug to a depth of not less than seven feet (2 metres) and at the second opening to a depth not exceeding five feet (1.5 metres) provided that no body shall be interred in a grave in such a manner that any part of the coffin is less than three feet (90cm) below the level of any ground adjoining the grave. The Parish Council reserves the right to direct that the grave be dug to a lesser or greater depth in some circumstances.

When a grave is dug single depth for a coffin, no further interments are allowed in the grave.

In a cremation plot the caskets should be placed side by side or one in front of the other at a depth of not less than two feet (60cm)

All surplus soil must be removed from the site.

The Parish Council will not permit the creation of any underground walled chamber, sepulchre or burial vault or kerbstones.

An interment cannot take place before the appropriate paperwork (i.e. Certificate for Burial or Registrar's Certificate for Cremation) has been received by a representative of the Burial Authority. Failure to produce the relevant certificates will result in the interment being delayed until such certificate is produced.

The Parish Council is responsible for grounds maintenance at the Cemetery, therefore new graves will be allowed to settle for a period of not less than six months before being levelled and re-seeded with grass.

Relatives of the deceased are responsible for the upkeep of headstones and memorials.

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6. Memorial, Headstones, Tablets and Grave Markers

The Parish Council offers the following guidance for those who would like to install any item on a grave or cremation plot to commemorate the interred or distinguish the grave.

Memorials remain the property of the Deed holder and as such the responsibility for the cleaning, repair and maintenance of such items, including vandalism damage, rests with the Deed holder.

1. Before the erection or installation of a memorial, headstone or tablet a drawing thereof, specifying the dimensions, materials, finish and any proposed inscription and imagery shall be sent to the Parish Council together with the relevant fee, for the approval of the Parish Council as the Burial Authority.
2. Any requests for bespoke designs and imagery on the front or sides of headstones must be included in the drawing and will require the approval of the Burial Authority (Parish Council) The rear of headstones must be plain with no markings of any kind other than the plot number.
3. The Parish Council reserves the right, in its absolute discretion, to forbid designs or materials it deems unsuitable or wording it deems untrue or potentially offensive to other parties.
4. To enable the ground to settle sufficiently headstones cannot be erected on a burial plot within 6 months of the burial.
5. A memorial on a burial plot shall not exceed a height of 2 feet 9 inches (84cm), 4 inches (10cm) thick and be set on a foundation slab not exceeding 36 inches (91cm) in width, 18 inches (46cm) in depth and a thickness of 4 inches (10cm).
6. A memorial on a cremation plot may only be marked with a foundation slab not exceeding 14 inches (36cm) square and include a vase not exceeding 12 inches (30cm) square, a plaque laid level with the adjoining ground not exceeding 12 inches (30cm) square, or a small headstone not exceeding 15 inches (38cm) in height and 12 inches (30cm) wide.
7. All memorials shall have the grave space number engraved on the back, in a clearly visible location on either the bottom left or right-hand corner.
8. A simple wooden plaque or cross bearing no more than the name of the person interred and date of death may be permitted as a temporary grave marker for up to six months after which time the Parish Council reserves the right to remove it.
9. When erecting any tablet, monument, gravestone or other form of grave marker, all works undertaken on site shall be in accordance with the National Association of Memorial Masons Code of Working Practice and **use an accredited fixing method.** (BS 8415 (NAMM Code of Working Practice) and (BRAMM Blue Book)
10. Coffin burial areas within the cemetery are laid out as lawns for neatness and maintenance. Consequently, headstone, grave markers, vases and commemorative or decorative items may only be placed or erected at the head of graves, within the footprint of the headstone plinth or slab alternative.
11. The Parish Council does not permit the installation of kerbs, fences or any kind of grave surrounds nor the planting of bulbs, flowers, shrubs or trees or the creation of any kind of hard or gravelled surfacing on or beside any grave or cremation plot. Any items or planting placed on, or by, graves or elsewhere in the cemetery, not in accordance with the Parish Council's specifications or written permission, will be removed without notice and a charge may be levied against the grave owner.
12. For safety reasons, glass containers and ornaments are not permitted anywhere in this cemetery.
13. The Parish Council will not be held responsible for any damage to any item installed to mark a grave or commemorate a burial.

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14. **Memorials remain the property of the Deed holder and as such the responsibility for the cleaning, repair and maintenance of such items, including vandalism damage, rests with the Deed holder.**

All memorials must be kept in good repair and maintained to current Health and Safety standards. It is the Deed holder's responsibility to organise insurance, if required. Any memorial not kept in good repair, after due notice, may be removed by order of the Burial Authority. The Parish Council reserves the right to reinstate or to lower any such items to ground level when, in the Parish Council's opinion, it has become unsafe or unsightly.

15. The Parish Council's approval of a proposed interment or inscription shall be considered consent to temporarily remove a memorial from the grave/cremation plot.
16. Memorials re-fixed following removal must be installed in accordance with the current version of the National Association of Memorial Masons Code of Working Practice.
17. All surplus soil, equipment or materials for the digging of graves, or installation or maintenance of gravestones, markers and monuments etc. must be conveyed to and from the plot in such a manner as to not cause any damage to the surfaces or paths, to other graves, their furnishings or to landscaping.

7. Christmas Wreaths, Flowers, Plants and Toys

Cut flowers must be placed in a suitable container at the head of the grave.

The planting of any root bearing tree, plant, shrub or bush on a grave space is not permitted and such material will be removed

The Parish Council, as Burial Authority, reserves the right to remove dead flowers and wreaths. Christmas wreaths will be removed following twelfth night.

The Parish Council reserves the right to maintain graves to a reasonable standard which may include the removal of toys, memorabilia and other unauthorised items and any items causing overcrowding and encroachment onto neighbouring plots.

8. Rose Garden

An area known as the Rose Garden (north of the Chapel) is set aside for the unmarked scattering of cremated ashes.

Permission should be obtained from the Burial Authority, and the cremation certificate supplied (where available), to use this area.

It is important that ashes are fully broadcast and not simply heaped in one spot.

No markers of any kind are permitted in or around this area.

Flowers and wreaths etc will be allowed to remain on the Rose Garden for up to one week providing another scattering is not taking place, in which case the flowers etc will be removed whilst the scattering takes place, and then put back. All flowers, wreaths etc will be removed after one week.

No vases, ornaments, figures or other additions are permitted in this area.

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9. Fees and Charges

The Parish Council publishes a list of the fees and charges (see attached) payable by parishioners and non-parishioners for various services and rights. Fees and charges may be updated from time to time without notice. Fees and charges for non-parishioners are set higher than for parishioners because the whole costs of land purchase, development and maintenance of the cemetery is and has been exclusively borne by the domestic council tax payers of the parish.

Cosby Parish Council - Cemetery Fees

The attached fees were approved and adopted by the Cosby Parish Council acting as the Burial Authority at a properly convened meeting held on Thursday 15th October 2020 and became effective as from that date.

	Resident	Non-Resident
Purchase of Burial Rights for a Burial Plot	£300.00	£900.00
Purchase of Burial Rights of a Cremation Plot	£110.00	£330.00
Interment in a Burial Plot (including reopening)	£150.00	£450.00
Interment in a Cremation Plot	£110.00	£330.00
Burial or interment of a baby/young person of the Parish up to 18 years.	No fee	
Scattering of ashes in Rose Garden – Residents of Cosby only	No fee	
Memorials & Inscriptions		
HEADSTONE not exceeding 2ft 9inches (84cm) high x 4 inches (10cm) thick. Including first inscription	£100.00	£300.00
VASE not exceeding 12 inches (30cm) square including first inscription	£95.00	£285.00
FLAT TABLET MEMORIAL not exceeding 15 inches (38cm) high x 12 inches (30cm) wide. Including first inscription	£95.00	£285.00
SMALL HEADSTONE not exceeding 15 inches (38cm) high x 12 inches (30cm) wide. Including first inscription	£95.00	£285.00
Second Inscription on any Memorial i.e. Headstone, Vase or Tablet	£90.00	£270.00

Grave digger fees are not included in any of the cemetery fees listed.

All fees are trebled for any person outside the parish becoming interred in the Cemetery

Except:

- a) Where a resident is taken into hospital/care and has to leave the Parish. The residents fee will still apply.
- b) Where the Exclusive Right of Burial in the grave in question was acquired at the resident fee. All future charges relating to the plot will be charged at the residents' fee providing that the interment is for a family relative of the original occupants.

In any dispute whether a deceased qualifies as a 'resident', the Parish Council in its absolute discretion will decide.

All payments are due in advance

Cheques and electronic payments should be made payable to 'Cosby Parish Council'.

Rules & Regulations



COSBY PARISH COUNCIL

Clerk: Mr Les Phillimore
76 Springwell Lane
Whetstone
Leicester
LE8 6LT
Telephone: 07802 303936
clerk@cosbyparishcouncil.org.uk

INTERMENT NOTICE

NOTICE OF INTERMENT MUST BE MADE TO THE COUNCIL AT LEAST SEVEN DAYS IN ADVANCE

1. Forenames and Surname of the deceased:
2. Address of the deceased:
.....
3. If a Minor, name of Parents:
4. Age of deceased:
5. Date of Death:
6. Place where death occurred:
7. Day of week and date of interment:
8. Time of interment:
9. Name of Officiating Minister:

(Please ensure the White Cremation Certificate or Green Burial Form is provided prior to interment)

10. Next of Kin or Executor of the Estate:
Correspondence address:
.....
11. Full Name & Address of Grave purchaser:
(or Current Deed Owner if Previously Purchased)
.....
.....



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COSBY PARISH COUNCIL Acting as the Burial Authority

Clerk: Mr Les Phillimore
76 Springwell Lane
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Statutory Declaration – Exclusive Right of Burial

To be completed when proof of burial plot or cremation plot ownership and the legal right to inter cannot be demonstrated

Section 1 – Details of person making the declaration

I, (name)

of

(address).....

.....

Do solemnly declare that (name)

of (address)

purchased the Exclusive Rights of Burial of plot number in
Cosby Cemetery and granted by said Deed

Section 2 – Details of declaration (please give explanation of reason for making this request)

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.....
.....
.....

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I HEREBY UNDERTAKE AND AGREE to indemnify Cosby Parish Council acting as the Burial Authority, and all their officers from and against all actions, proceedings, losses, costs, damages, claims or demands it may hereafter sustain or be out to by reason of any claim, whether such claim shall be subsequently sustained or not, hereafter to be made by any persons to the exclusive right of burial in the said Burial or Garden of Remembrance / Internment plot, which may be brought about by the reason of the exercise of such right.

By completing this Statutory Declaration, you are confirming that the deceased's family or Executors of the Estate have read and agreed to the Rules and Regulations of Cosby Parish Council (The Burial Authority)

Section 3 – Declaration in the presence of a Magistrate or Commissioner for Oaths.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declaration Act 1835.

Signed Date

Declared at
.....
.....

In the City / County of

This..... day of

Before me,

*** Magistrate / Commissioner for Oaths.**

Notes

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Local Authorities Cemetery Order 1977 Section 10 paragraph 6

No body shall be buried, or cremated remains interred or *scattered, in or over any grave or *vault in which an exclusive right of burial for the time being subsists except by, or with the consent in writing of, the owner of the right.

Local Authorities Cemetery Order 1977 Section 10 Paragraph 1

A burial authority may grant, on such terms and subject to such conditions as they think proper:

a) to any person

i) the exclusive right of burial in any grave space or grave, or the right to construct a walled grave or vault together with the exclusive right of burial therein ; or

ii) the right to one or more burials in any grave space or grave which is not subject to any exclusive right of burial:

b) to the owner of a right described above in a) (i) or (ii) (or to any person who satisfies them that he is a relative of a person buried in the grave or vault, or is acting at the request of such a relative and that it is impractical for him, or such relative, to trace the owner of the right so described), the right to place and maintain, or to put any additional inscription on, a tombstone or other memorial on the grave space, grave or vault in respect of the right so described subsists.

*NB: Please note that Cosby Parish Council acting as the Burial Authority does not have any vaults or walled graves and does not permit the scattering of ashes.

***A Magistrate can be found at your local magistrates' court.**

***A Commissioner for oaths can be found at your local solicitor's office.**

For Office Use only

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Signed

Dated