



## BODMIN TOWN COUNCIL

### MEMORIAL REGULATIONS

- 1 **Introduction**
  - 1.1 Bodmin Town Council acknowledges the importance of a memorial as a means of commemorating the life of a loved one, acting as a focus for grief initially, and in years to come as an historical record.
  - 1.2 Bodmin Town Council as the Burial Authority has in pursuance of the General Powers of Management contained in Article 3 (1) of the Local Authorities' Cemeteries Order 1977 made the following Rules and Regulations to be observed in the cemeteries under their management.
  - 1.3 For the purposes of these regulations, 'The Council' means Bodmin Town Council and 'Memorial' means any headstone, monument, cross, flatstone, kerbing or any other erection placed for the purpose of a memorial over any grave.
2. **General Information**
  - 2.1 Memorials Permitted:
    - Old Cemetery** (Cross Lane)  
Headstone not exceeding 5 ft (1.52m) in height  
Footstone not exceeding 2 ft (0.61m) in height  
Kerbstones or border enclosing a space not exceeding 7 ft (2.13m) by 3 ft (0.91m)  
A flat or vase tablet not exceeding 2 ft (0.61m) by 2 ft (0.61m)
    - New Cemetery** (Berry Lane)  
Lawn Style memorials only (may include vase). No memorial may exceed 4 ft (1.22m) in height and 2 ft 6" (0.79m) in width.  
Kerbs, borders and footstones not permitted in this section.  
Free standing vases are not permitted and may be removed.
    - Garden of Remembrance** (adjacent to Berry Tower)  
Flat slate tablet 18" (0.46m) x 15" (0.38m) for a single grave space or 18" x 30" for a double grave space (side by side) with or without a flower container, to be laid portrait fashion. No other style or size will be permitted.  
Free standing vases are not permitted and may be removed.
  - 2.2 Memorials may only be placed on a grave space for which the Exclusive Right of Burial has been purchased.
  - 2.3 Wooden crosses are permitted as temporary grave markers in the New Cemetery, prior to the installation of a permanent memorial.
  - 2.4 Only one headstone/memorial per grave space is allowed, unless written permission has been obtained from the Council.

- 2.5 New footstones, kerbstones or other forms of surround are not allowed in the New Cemetery.
- 2.6 An application for all proposed memorials and inscriptions must be submitted to Bodmin Town Council for approval and all appropriate fees paid prior to any works being undertaken on site.
- 2.7 All permanent memorials are to be constructed and installed by a competent stonemason in accordance with the current National Association of Memorial Mason's Code of Practice (copy available on request), and to the satisfaction of the Supervising Officer.
- 2.8 No work is to take place in the cemetery before 8.30 a.m. and after 5.00 p.m. or sunset (whichever is sooner). No work will take place on Saturdays, Sundays or any bank or public holidays, except by agreement with the Council. Monumental Masons will be required to suspend work for the duration of a funeral.
- 2.9 Any damage done in connection with the erection of a memorial must be made good by the person erecting the memorial and the site left in a safe and tidy condition.
- 2.10 All memorials must be installed with stainless steel ground anchors or a concrete flag set below ground level, which complies with the NAMM Code of Practice, except by agreement with the Council.
- 2.11 The responsibility for the safety and upkeep, including repairs to any gravestone or memorial remains solely with the owner(s) of the grave or their successor(s) in title.
- 2.12 The Council will make regular checks of memorials. Any memorial found to be unstable will be laid flat. The Council reserves the right to lay flat unsafe memorials at its discretion if the owner or successor cannot be found or refuses to arrange repairs
- 2.13 Shrubs, plants, bulbs and trees may not be planted without permission of the Council. The Council reserves the right to prune or remove, without notice, any tree or plant which becomes a hazard or a nuisance or interferes with the routine grass cutting and grounds maintenance of the site.
- 2.14 Wind chimes, wind mills, solar lights, soft toys, ornamental stone chippings, picket fences etc are not permitted and the Council reserves the right to remove, without notice, any of these items in order that the routine grass cutting and grounds maintenance work can be carried out and should such tributes restrict access to and encroach onto neighbouring graves or interferes with the routine grass cutting and grounds maintenance of the site'.

### **3 Erection of a Headstone**

- 3.1 An application form for all proposed memorials and inscriptions must be submitted to Bodmin Town Council for approval and all appropriate fees paid, prior to any works being undertaken on site.

This form will usually be submitted by a Memorial Mason.

- 3.2 The responsibility for the safety and upkeep, including repairs to any gravestone or memorial remains solely with the owner(s) of the grave or successor(s) in title and the Council recommends that grave owners obtain a guarantee from the Memorial Mason for all work they carry out and arrange for the Memorial Mason to check the memorial for defects every 5 Years.
- 3.3 The Council carries out regular inspections of memorials and reserves the right under Health and Safety legislation to 'make safe' any defective memorials found.
- 3.4 All memorials are to be constructed and erected with ground anchors or concrete flags in accordance with the current code of practice as prepared by the National Association of Memorial Masons.
- 3.5 No headstone may be more than 4 ft (1.22m) in height and 2 ft 6" (0.79m) in width. Grave edge kerbs are not allowed in the New Cemetery.
- 3.6 If an additional inscription involves the supply and fixing of a new plinth or further section of stone then a sketch of the proposed stonework showing details is to be supplied and approved by the Council.
- 3.7 Additional 'free-standing' / unattached plinths or non-fixed stonework etc will not be permitted.

#### 4 **Vandalism**

- 4.1 The Council does not accept any liability in the event of the memorial being vandalised.

#### 5 **Safety of Memorials**

- 5.1 Under the provisions of the Health and Safety at Work Etc Act 1974 and associated legislation and in accordance with the Local Authorities' Cemeteries Order, 1977, the Council is obliged to assure safety within the Cemetery and to have a documented memorial inspection programme in place. The inspection programme will identify unsafe memorials and ensure that they are made safe by whichever method is appropriate. There is also a requirement for the Authority to ensure that new memorials are properly and securely erected to ensure long-term safety of visitors to the cemetery.
- 5.2 The Council will carry out a programme of regular checks of memorials. When a memorial has been identified as very unsafe and laid flat, every effort will be made to contact the Exclusive Right holder, requesting them to carry out the necessary repair. Further information on this programme of memorial safety testing is available from the Council Offices.
- 5.3 The Council reserves the right to lay flat or remove unsafe memorials at its discretion if the owner or successor cannot be found or refuses to arrange repairs.

6 **Review and Amendment of Regulations**

- 6.1 The Council reserves the right to amend any of the foregoing regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

7 **Alternative Formats**

- 7.1 Disability Discrimination Act 1995 – copies of this document in large print (A3 Format) or larger font size, or recorded onto tape as a 'talking book' can be made available for those with sight impairment on request from the Council Office or by telephoning 01208 76616 or e-mailing [policy@bodmin.gov.uk](mailto:policy@bodmin.gov.uk)
- 7.2 The Council can also arrange to provide versions in other languages.

8 **Freedom of Information**

- 8.1 In accordance with the Freedom of Information Act 2000, this Document will be posted on the Council's Website [www.bodmin.gov.uk](http://www.bodmin.gov.uk)

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