

Malvern Wells Cemetery – Terms & Conditions

Malvern Wells Parish Council has drawn up these terms & conditions to ensure that the cemetery remains a peaceful and attractive place for families and friends of the deceased and demonstrates respect to all who are buried therein.

All interment bookings, general enquiries and comments regarding the cemetery should be directed to:

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These terms & conditions have been drawn up in line with the Institute of Cemeteries & Crematorium Management guidelines and are in addition to the provisions of the Local Authorities Cemeteries Order (1977) and any other appropriate regulations currently in force.

The cemetery is a place of peace and quiet reflection, but it is also a workplace. Visitors to the site are welcome, but please respect the special nature of the site, the needs of other users and safety factors. No games, sports or riding of bicycles are permitted in the cemetery. No consumption of alcohol or drugs may take place within the cemetery and anybody considered to be under the effects of such substances will not be admitted.

1. General Terms & Conditions

1.1 The scale of fees will be published annually for residents of Malvern Wells.

1.2 A resident is defined as somebody who, immediately prior to their death, was a resident of the defined parish, or who had lived within the Parish for a period of more than 10 years but had then had to move away from the Parish due to personal care needs. (MWPC Minute ref 79/11)

1.3 The Parish Council reserves the right to amend these terms & conditions and to deal with any circumstances or contingency not provided for herewith.

1.4 The payment terms for burials are 14 days from date of Application for Grant of Grave Space and receipt of Notice of Internment.

2. Grave Allocation and Management

2.1 Graves will be allocated on a next available basis, at the final discretion of the Parish Council but the wishes of applicants will be met wherever possible.

2.2 The Exclusive Right of Burial for a grave can be purchased for a period of 70 years. The Exclusive Right of Burial can only be transferred to another person or persons who are entitled and via the appropriate legal process.

2.3 All graves will be excavated and prepared for interment by the Parish Council or Funeral Director contractors only. No other person will be allowed to undertake any excavations within the cemetery except with the express permission of the Parish Council. The depth of each grave will be determined by the Parish Council in accordance with the provisions of the Local Authorities Cemeteries Order (1977). Each grave shall only contain:

- 2 coffins, or
- 1 coffin and 2 cremated remains, or
- 4 cremated remains

2.4 Smaller half size plots are available for up to 2 cremated remains requiring headstones.

2.5 Following the interment, the Parish Council will level the grave and re-turf or topsoil.

2.6 Following the interment, the family of the deceased are responsible for removing and disposal of floral tributes within 21 days. There are suitable waste and composting facilities within the cemetery to assist with this. If families are unable to do this, prior arrangements should be made with the Burial Ground Manager prior to the interment.

2.7 Flowers and appropriate decorative tributes may be laid on graves but may be removed temporarily to enable grass cutting by approved contractors.

2.8 The Parish Council reserves the right to remove any tributes from graves, which are considered to be inappropriate to the overall appearance of the cemetery or which may cause offence to other cemetery visitors.

2.9 Plastic flowers maybe placed on graves but are not encouraged as they are not able to be composted. Such flowers may be removed if they become inappropriate to the overall appearance of the cemetery.

3. Booking of Internments

3.1 A provisional booking for a funeral may be made by telephone or email to the Burial Ground Manager.

3.2 The provisional booking for a funeral must be followed up by the submission of a completed Notice of Internment form to the Burial Ground Manager at least 48 working hours in advance of the interment date. Receipt of the fully and correctly completed Notice of Internment will act as confirmation of the provisional booking.

3.3 The exact size of the coffin, casket or container must be given in writing to the Burial Ground Manager as soon as possible after the provisional booking, together with any other pertinent information relating to the size and shape (e.g. locking bar handles, casket shape, wicker coffin etc.). Unless otherwise advised by the Burial Ground manager, the Funeral Director will subsequently be responsible for adding a suitable amount to the given size in order to determine the dimensions of the grave to be excavated.

3.4 As much information relating to the funeral as possible must be given to the Burial Ground Manager in advance, especially if it is unusual, e.g. large numbers of mourners expected, motorbike cavalcade, jazz band, piper, etc.

3.5 If a grave is purchased and is to be reopened for a future interment, the written permission of the registered grave owner must be given, except where the burial is that of the registered grave owner.

3.6 The certificate given by the Registrar of Births and Deaths, or an order of the Coroner, must be delivered to the Burial Ground Manager prior to the funeral.

3.7 The Parish Council will determine the appropriate fees to be paid for the funeral, which must be paid fully within 14 days of the interment.

4. Coffins

4.1 Coffins and urns for burial must be made from suitable bio-degradable materials such as wood, wicker, cane bamboo, cardboard etc with appropriate decorative external fittings. The Parish Council also permits shroud burial.

4.2 The Parish Council reserve the right to refuse the use of certain coffin materials if they are deemed to be unsuitable for the type of grave space or if the grave space is of double depth and is to be reopened for a future interment.

5. Internments

5.1 Funerals will normally only be permitted Monday to Friday 09:30 – 15:00 (excluding Bank or other Public Holidays). It may be possible to arrange funerals outside these hours subject to prior arrangement with the Burial Ground Manager.

5.2 All funerals will be subject to the control of the Burial Ground Manager, who will meet the cortege and direct it to the cemetery chapel or grave as appropriate.

5.3 The time appointed for an interment must be punctually observed. The Burial Ground Manager has the right to delay a late arriving funeral in the event that it impacts upon another service.

5.4 It is the responsibility of the person making the funeral arrangements to organise a Minister or Civil Celebrant for the funeral if one is required.

5.5 Any floral tributes from the funeral will be placed on top of the grave following back-filling and may remain in situ for a maximum of 21 days before being removed.

5.6 After interment, no body or cremated remains may be removed from a grave without the production of the Ecclesiastical Faculty and/or Licence for Exhumation required by law. The original documents will be required for this purpose. In the case of the re-opening of a private grave where written consent of the owner of the burial rights, the Deed of Grant of Exclusive Right of Burial or other reasonable evidence of ownership cannot be produced, the Council will require to be indemnified against any action arising as a result of permitting the interment.

6. Cremated Remains

6.1 The scattering of cremated remains is not permitted within the boundary of the cemetery.

6.2 Prior permission must be obtained for cremated remains to be placed within the Garden of Remembrance if relatives do not wish to purchase a private grave space. A plaque may be placed on the garden kerbstones with prior permission.

6.3 Cremated remains may be interred in a purchased grave space (see section 5). These graves are half size and can hold 2 cremated remains, but allow for memorial to be erected (see section 7).

6.4 The Parish Council will determine the appropriate fees to be paid, which must be paid fully within 14 days of the internment.

7. Memorials

7.1 A monument or memorial may only be erected on a grave space within the cemetery in accordance with these terms & conditions and upon payment of the appropriate fee. The right to erect a monument or memorial will be for the un-expired portion of the Grant of Exclusive Right of Burial.

7.2 Permission to erect, reinstate and add further inscriptions to a memorial can only take place with the grave owner's permission or with the agreement of proven representatives.

7.3 The erection of a monument or memorial on a public grave will be subject to the discretion of the Parish Council, in accordance with these terms & conditions, and upon payment of the appropriate fee. Where permission is granted to erect a headstone upon a public grave, it will be subject to the right of the representatives of other persons interred in the grave to have those persons commemorated thereon. As there is no right to erect a monument or memorial on a public grave, such monument or memorial does not in itself confer any rights and remains at the discretion of the Parish Council.

7.4 Application for approval to place a new monument or memorial in the cemetery, alter or add to any inscription or replace, add to or remove from the cemetery any monument or memorial must be submitted to the Burial Ground Manager. Such notice must be submitted at least two weeks in advance of the proposed date of erection and must include:

- The grave number and name of the deceased.
- In the case of a new monument or memorial a drawing of the monument/memorial and its specification including the type, colour and finish (i.e. polished, honed etc) of the material to be used and showing all size dimensions including those of the foundation slab.
- Any text to be cut upon the monument/memorial or any text to be altered or added to any existing monument/memorial and the method of lettering.
- The name, address and signature of the person placing the order for the monumental work to be undertaken who should be the owner of the Exclusive Right of Burial. If such owner is deceased, the applicant must state their relationship to the deceased owner.
- If the owner is alive but is not making the application, the applicant must provide a letter signed by the owner confirming and authorising such an application.
- The name, address and telephone number of the monumental mason.
- Any fee payable in advance.

7.5 The approval of the Parish Council for any such application will be approved in writing and is valid for a period of three months. No work should be undertaken until approval has been received. Any such approval is on the understanding that the work undertaken will fully comply with the details of the application form and the requirements of these terms & conditions. Any work that does not so comply will not be permitted to remain in the cemetery.

7.6 No permit is required for cleaning only, up-righting and re-levelling, repair of existing lettering, or painting of existing inscriptions unless the monument/memorial is to be removed from the cemetery when prior approval is required as above.

7.7 The Parish Council reserves the right to refuse any proposed memorial if it is considered to be inappropriate for the size of grave space or inappropriate in design or wording.

8. Maintenance Work

8.1 Grass cutting / strimming / hedge cutting within the grounds of the cemetery will be carried out by approved contractors of the Parish Council and the frequency will be determined by seasonality and/or weather conditions.

8.2 The Parish Council will carry out levelling or in-filling of grave spaces where this becomes necessary.

End.