

LEDBURY TOWN COUNCIL

LEDBURY CEMETERY - NEW STREET

Explanatory Notes for your information

(please read carefully, any queries please contact the Office)

Burial Rights

When you buy a grave you purchase the Exclusive Rights of Burial in that grave for a set period of time. At the end of the period you have the option of renewing the rights for a further period. It is vitally important that you keep the Ledbury Town Council office fully informed should you change your address, otherwise you may not receive a notice of renewal at the appropriate time

Memorial Rights

A separate Right to Erect and Maintain a Memorial is needed and the purchase of this right will be made on submission of the application to erect a memorial.

At the end of the period of Right to erect and maintain a memorial the Ledbury Town Council will attempt to contact you to renew the lease. Should you not wish to renew the lease or you cannot be contacted the Ledbury Town Council can lawfully remove any memorial after giving a set period of notice for you to remove the memorial your self. If you decide to renew this lease this may be on condition that the memorial receives a full inspection and stability test and any defects found are repaired.

Why is a permit of Right to erect a memorial needed

Prior to a memorial being erected on a grave space, the written authority of the owner of the grave must be given on a permit / application form, authorising the proposed erection of the memorial. Memorials need to conform to Ledbury Town Council regulations with regard to size and fixings, and the memorial also needs to be checked for stability under health and safety regulations. The Ledbury Town Council need to check that the memorial conforms to regulations and will be erected in a safe manner. To a certain extent this helps protect your interests although you will remain responsible for the maintenance of the memorial in the future. You may ask your memorial mason for a workmanship guarantee or in fact details of insurance.

Ledbury Town Council will issue a separate Right to erect and maintain a Memorial and the purchase of this right will be made on submission of the application to erect a memorial.

Who is responsible for the Memorial

Whilst the Ledbury Town Council as the burial authority is responsible for maintaining the cemetery in a safe condition, you have a responsibility to maintain your memorial in a safe condition throughout the period of the Right to Erect and Maintain a Memorial. If you fail to do this the Ledbury Town Council may take action to make the memorial safe and then attempt to advise you of the actions taken.

Ledbury Town Council's contractors carry out routine inspections of memorials in the cemetery and when one is identified as being unstable or likely to fall and injure someone it may be cordoned off, laid flat or have a temporary support installed. You will receive a letter in these circumstances and it will be your responsibility to arrange suitable repair. Should your memorial still be under guarantee the memorial mason will be responsible to carry out the repairs at no extra cost to yourself. Should you ignore the notice to you, at your last known address, your memorial may well be laid flat and when the lease expires you will not be allowed to renew it until the repairs are made. Should no repairs be carried out and after further notification the memorial may be lawfully removed from the cemetery.

Your memorial mason also has a responsibility to provide a memorial of merchantable quality and to erect it in a safe manner. You should insist that the memorial is erected in accordance with the National Association of Memorial Masons (NAMM) Recommended Code of Practice and seek a guarantee from your memorial mason.

What happens if /when all the owners have died

Ownership of the Exclusive Right of Burial in a grave can be transferred from a deceased owner via that owner's estate. The means of transfer can be very complex and while there is a set procedure to follow, each case must be looked at individually.

Why can't I have what I want on the Grave?

When a new grave is purchased it is not the ownership of the land itself that is purchased, but the rights to have burials take place in that grave. These rights are sold, or to be more correct 'granted' together with the rights to erect a memorial on the grave in accordance with the rules and regulations of the cemetery. It is important that you select the cemetery that will provide you with the type of memorial that you require as regulations differ from area to area. This can be checked out by contacting the appropriate cemetery office and making enquiries about the choices and options.