Cemetery Regulations

The Bereavement Services Office is situated at Guildford Crematorium, New Pond Road, Godalming, Surrey GU7 3DB and is open Monday to Friday 9.00am to 4.30pm and Saturday 9.00am – 3pm (normal public holidays excepted) under the control of the BSM. For further advice or information, please call 01483-444711.

Guildford Borough Council welcomes all visitors to its Cemeteries and they are asked to respect the peace, dignity and reverence of the facilities.

The Cemeteries are managed and operated in accordance with current legislation covering burial in England and Wales. These regulations are a necessary requirement for the management of the cemeteries.

Visitors are welcome to the cemeteries and are required to respect the dignity of this peaceful and tranquil place. Regulations should be observed at all times and the burial authority reserves the right at any time to make amendments or variations to them.

The burial authority has adopted the Guiding Principles for Burial Services published by the Institute of Cemeteries and Crematorium Management (ICCM). //www.iccm-uk.com/iccm/library/CharterGuidingPrinciples.pdf.

These regulations are made by the burial authority of the Borough Guildford (hereinafter called ‘The burial authority’) acting as the burial authority for the Borough in exercise of the powers and duties conferred upon them by the *Local Government Act 1972, Article 3 of the Local Authorities’ Cemeteries Order* *1977*, and of all other powers and duties regarding the general management, regulation and control of the cemeteries provided by them.

The Cemetery staff are able to advise on all aspects of the Cemetery. If they are unable to help contact should be made with the Bereavement Services Office.

Interpretation

1. these Regulations, unless the context otherwise requires the words and expressions are defined as below:

* **Applicant** - a person other than a funeral director who wishes to arrange a funeral.
* **Burial (interment)** -to place in a grave
* **The Burial Authority** - refer to Guildford Borough Council being the burial authority for the Borough of Guildford.
* **Cemetery or Cemeteries** - the following cemeteries in the ownership and under the control of the said Council as Burial Authority within the Borough and situated at: Stoke Cemetery, Stoughton Road, Guildford, Surrey and The Mount Cemetery, The Mount, Guildford, Surrey.
* **Bereavement Services Manager** – (BSM) Appointed by the burial authority to manage and carry out the administration of the cemeteries.
* **Funeral Director -** a person carrying out the arrangements for **i**nterment on behalf the relatives of the deceased.
* **Bereavement Services Office** (BSO) - the office provided and occupied for the business of the Cemeteries, situated at Guildford Crematorium, New Pond Road, Godalming, Surrey or such other places as the burial authority may from time to time appoint accordingly.
* **Memorial** - any gravestone, tomb, monument, cross, flatstone, kerbing or other monumental work that serves as a memorial of a person or persons buried.
* **Grave** - a burial place formed in the ground excavation without any internal wall, brickwork or stonework or any other artificial lining.
* **Grave space** - the area of land in which a coffin has been or will be buried.
* **Grantee and or owner** -the person who has the Exclusive Right of Burial in a grave, or the person or persons deriving title under him or her.
* **Full memorial plot** - a grave space where the entire area of grave may be used for memorialisation and/or planting flowers.
* **Lawn plot** - a grave plot where only the head of the grave may be used for memorialisation and/or planting flowers.
* **Resident** - a person residing within the Borough of Guildford.
* **Scale of charges** means the scale of charges in force for the use of the cemeteries.
* **Public or unpurchased grave** - a grave in which no Exclusive Right of Burial has been or will be granted by the burial authority and in which unrelated persons may be interred.

Unless the expression otherwise requires the expression ‘burial’ includes the interment of cremated human remains and the expression ‘cemetery’ includes any place set aside for the interment of cremated human remains.

## **Hours of Opening**

# Office Hours

2. The BSO is open for public business from 9.00am to 4.30pm each day Monday to Friday and 9.00am – 3pm Saturday. The office will not be open on Public and local fixed holidays, which include Good Friday, Christmas Day, Easter, Spring Bank Holidays etc.

## Hours for Admission of Visitors

3. The Cemeteries shall be open to visitors, unless otherwise determined by the burial authority:

|  |  |
| --- | --- |
| November, December and January | 9.00am – 4.30pm |
| February | 9.00am – 5.30pm |
| March and October | 9.00am – 6.00pm |
| April and September | 9.00am – 7.30pm |
| May, June, July and August | 9.00am – 8.00pm |

### Hours for Interment

4. The standard hours of interment are 10.00am – 3.00pm each day, Monday to Friday or 2.30pm when a service is held in the Cemetery Chapel. Interments may take place outside the standard hours with the consent of the BSM and subject to the payment of an additional fee, which is prescribed within the fees and charges.

### Admission of Visitors

Admission to Cemeteries

5. No person not being an officer or servant of the burial authority or on behalf of the burial authority shall enter or remain in a Cemetery at any hour when it is closed to the public.

Any person who contravenes this regulation shall be liable on summary conviction to a fine not exceeding £100 and in the case of a continuing offence to a fine not exceeding £10 for each day during which the offence continues after conviction thereof.

All persons entering the Cemeteries will be subject to the orders and control of the burial authority or any person authorised by the burial authority and will be subject to the Regulations in force.

The burial authority reserves the right to temporarily close public access to any part of the cemeteries o at any time without notice.

Admission of children

6. Children apparently under 12 years of age will not be permitted into the Cemetery except under the proper care of an adult.

animals

7. No animals, other than assistance animals will be allowed into the grounds or buildings, except with the prior permission of the BSM.

vehicles

8. Motor vehicles may enter the Cemetery only if an occupier is on Cemetery business. Any person using a motor vehicle in a Cemetery shall only do so on a carriageway suited to the purpose and with the consent of the burial authority.

Access is subject to absolute right of way being given to any funeral cortege.

Vehicles must not exceed 15 mph and must not obstruct paths or driveways. The requirements of the Highway Code must be observed at all times. Vehicles must not be parked in a position that obstructs other motor vehicles or any other form of access.

BICYCLES

9. Cyclists shall ride to the left of the carriageways in single file. Bicycles shall not be ridden on footpaths, grass areas or planted areas. Bicycles must not be placed against memorials, benches or trees and shrubs and if laid on the ground must not cause an obstruction.

The burial authority will not accept responsibility for the loss or damage to any vehicle/bicycle brought into the cemeteries, howsoever caused.

OFFICE, ENCLOSURE AND ENTRANCE GATES

10. No person, except on business, shall be allowed access to any of the offices or enclosures in the Cemetery, and no visitor shall be permitted to enter or leave the grounds except by the proper entrance gates.

EXCLUSION OR REMOVAL OF PERSONS FROM CEMETERIES

11. The BSM or nominated burial authority employee shall have power to exclude from the grounds any vehicle that he/she has the full power to remove from the cemeteries any member of the public who by reason of their behaviour he/she carried should be removed.

##### Conduct

## UNSEEMLY CONDUCT

12. No person in the Cemetery shall behave in a noisy, disorderly or unseemly manner, consume alcohol, gamble, hold any picnic or barbecue, sunbathe or play any game, use improper or indecent language, trespass on any portion of the Cemetery, damage, destroy or touch any tree, shrub, plant, headstone, monument, memorial, grave or any other property within the Cemetery or obstruct any officer as foresaid of the burial authority in the execution of his duty. All persons shall conduct themselves in decent, quiet and orderly manner and are reminded of the provisions of Articles 18(1) of *The Local* *Authorities Cemeteries Order 1977*. These state that no person shall:

* Wilfully create any disturbance in a Cemetery
* Commit any nuisance in a Cemetery
* Wilfully interfere with any burial taking place in a Cemetery

Wilfully interfere with any grave, walled grave or vault, any tombstone or other memorial, or any flowers or plants or any such matter; or play at any game or sport in a Cemetery.

SITTING, OR CLIMBING UPON HEADSTONES, ETC

13. No person shall sit, stand or climb upon or over any gravestone, headstone, tombstone, monument, palisading, gate, wall, fence or building within or belonging to the Cemetery.

VANDALISM

14. Any person found vandalising any part of the Cemetery or desecrating any grave plot will be liable for prosecution by the burial authority under the provisions of the *Local Authorities Cemeteries Order 1977*.

WASTE AND LITTER

15. Visitors are required to deposit litter and spent flowers only in the bins provided.

PLAYING OF MUSIC

16. The playing of any musical instrument, tape cassette player, compact disc player, radio, record player or any device used to generate and/or amplify any sound is not permitted in the Cemetery. The playing of musical instruments as part of the funeral service is permissible with the prior approval of the BSM.

SMOKING

17. Smoking is prohibited in the Cemetery near to any place where mourners are gathering or where any funeral or religious service is being performed, and visitors must dispose of cigarette ends in a proper manner.

CANVASSING

18. No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever, exhibit designs, or solicit for business for any company or individual within a Cemetery, or to ask of, or attempt to obtain from any employee, either directly or indirectly, information as to grave owners, without the prior consent of the BSM.

DISTRIBUTING LITERATURE OR OTHER ADVERTISEMENTS

19. No person shall be permitted, by himself or any agent, to distribute leaflets, business cards, or any other advertisement within the Cemetery.

PATHS AND DRIVES

20. Visitors shall keep to the drives and paths provided. No person shall be permitted to trespass upon on or use the Cemetery roads or walks for conveyance of goods, parcels or other materials not intended for use in the Cemetery.

PHOTOGRAPHS

21. With the exception of the photographing or filming of images for personal use only, no photographs or video recordings may be taken in the Cemeteries without the prior consent of the BSM and, where applicable, the holder of the deed of the Exclusive Right of Burial. In applying for such consent, the applicant is deemed to acknowledge that the copyright of all resulting filmed images may not be reproduced without permission. The burial authority reserves the right to charge a fee for any commercial filming in the Cemetery.

GRATUITIES

22. No employee of the burial authority is to demand or receive any gratuity, or to undertake private work of any kind connected with the Cemetery, either in his or her own time or in the burial authority time. The receipt or demand of a gratuity, fee or unauthorised charge by any officer or servant of the burial authority will subject such offenders to disciplinary action.

VISITORS NOT TO INTERFERE WITH THE CEMETERY EMPLOYEES

23. Visitors or persons attending funerals shall not unreasonably interrupt or interfere with the burial authority employees at their duties, nor employ them to plant graves, nor to execute any private works whatever in the Cemetery.

All enquiries, complaints and requests must be made to the BSO and not to the workmen in the Cemeteries.

EXCLUSION OR REMOVAL OF PERSONS FROM CEMETERY

24. The burial authority may at any time by their officers as aforesaid exclude or cause to be excluded from the Cemetery any person or persons, who are not mourners or officially connected with the burial of any deceased person. The BSM or nominated person may also cause to be removed there from any person who shall be guilty of any breach of the Regulations for the time being in force in respect thereof for such period as the burial authority may determine, and may take such actions as may be deemed necessary in the event of unreasonable refusal to leave the Cemetery when required to do so. No person shall be permitted to enter or leave the grounds except by the proper entrance gates.

# Applicants for Interments

CONSENT OF THE BURIAL AUTHORITY

25. No burial shall take place, no cremated remains shall be scattered and no monument or memorial shall be placed in the Cemetery, nor shall any additional inscription be made on a memorial without the prior consent of the burial authority. Any person contravening this regulation shall be liable on conviction to a fine not exceeding £100 and in the case of a continuing offence to a fine not exceeding £10 for each day it continues.

NOTICES AND APPLICATIONS REQUIRED PREVIOUS TO INTERMENT

26. Prior booking is required for every interment and a Notice of Interment, on the forms provided by the burial authority must be submitted to the BSO during normal office hours at least 2 full working days before the date and time of the interment. These days notice exclude the day of interment and exclude Saturday, Sunday and specified holidays, which include Good Friday, Christmas Day, Easter, Spring Bank Holiday etc.

NOTICES OF INTERMENT

27. Bookings for burial services may be made by telephone, in writing or in person at the BSO. Bookings will be regarded as provisional until formal notice is received.

The burial authority will not accept responsibility for consequences arising from the loss or delay of any such notice, order or any other document sent by post nor for the accuracy of the details contained in the Notice of Interment.

28. The Notice of Interment must contain:

* Full details of the deceased
* The proposed interment date and time
* The grave to be used
* The size of the coffin (exact measurement)

And is to be signed by one of the following persons:

* Applicant(s) for Exclusive Right of Burial
* Owner(s) of Exclusive Right of Burial or the person authorising the opening or re-opening of the grave
* A person instructing an interment in a common grave

29. If the signature is not that of the owner(s) of the Exclusive Right of Burial the plot will not be prepared and the burial will not go ahead until the correct signature(s) is/are obtained.

30. The particulars required must be fully and distinctly filled in by the applicant. Interment will not take place until all the forms are fully completed and other statutory documentation has been received.

ALTERATIONS

31. Any amendment to an application for interment once the BSO has received the form must be in writing either the original or email.

VERBAL INSTRUCTIONS

32. The burial authority will not be responsible for any delay or misunderstanding, which may occur if instructions are given verbally or by telephone. Neither will the burial authority accept responsibility for documents lost or delayed by the Post Office. All verbal instructions should therefore be confirmed in writing.

FACSIMILE AND EMAIL

33. Facsimile or email transmissions of burial documents are not acceptable.

HOURS OF INTERMENT - PUNCTUALITY

34. The time appointed for an interment will relate to when the funeral cortege is to arrive at the Chapel or at the graveside where the interment is to take place. Strict punctuality is essential.

If a funeral cortege arrives late, the service will take place as soon as possible thereafter at the discretion of the BSM. This is subject to a charge apart from events outside of their control. – re-word

NUMBER OF MOURNERS

35. In every case in which a funeral is likely to be attended by a large number of persons the fact must be notified in writing to the BSM by the Funeral Director having charge of the funeral at least 1 clear working day before the burial.

UNUSAL ASPECTS OF FUNERAL SERVICES

36. We welcome any unusual or innovative arrangements for funerals including horse drawn vehicles, pipers, military ceremonies etc. subject to permission being sought from the BSO being informed so that the necessary preparations can be made.

37. Photography and filming are not allowed during a funeral procession or graveside proceeding without the BSM permission.

##### Certificates Required

Certificate of Registry of Death

38. The Certificate for Disposal issued by the Registrar of Births and Deaths or, in any case where a Coroner’s Inquest has been held, a Coroner’s Order for Burial or a duplicate thereof must be delivered to the BSM or his/her authorised officer at least two working days prior to the time of the funeral.

### Duplicate Certificate of Registry of Death

39. No interment will take place unless the Registrar’s Certificate for Disposal or Coroner’s Order for Burial is produced.

### Certificate for stillborn children

40. The Certificate of the Registrar of Deaths given in pursuance of the *Births* *and Deaths Registration Act 1953* or the Order of the Coroner must in a like manner be produced in respect of every stillborn child brought for burial. If the birth does not come within the definition of ‘stillborn’ or ‘still birth’ as mentioned in the Still birth (Definition) Act 1992, a certificate from a registered Medical Practitioner or other responsible person attendant at the birth, stating that it took place before the twenty-fourth week of pregnancy must be produced.

### Certificate of Cremation

41. Before the BSM can authorise the interment of cremated remains of any person, a certificate must be produced from the appropriate officer of the Crematorium that the Certificate for Disposal has been produced to the Medical Referee of the Crematorium and that the Notification of Disposal has been delivered to the appropriate Registrar of Births and Deaths.

### Exhumation

CONSENT OF REGISTERED GRAVE OWNER

42 No body or cremated remains may be removed from a grave without the written and signed consent of the registered owner of the Exclusive Right of Burial for that grave, together with all other statutory documentation. Original documents will be required for this purpose.

EXHUMATION FROM UNCONSECRATED GROUND

43. Where exhumation is proposed from a grave in unconsecrated ground a Ministry of Justice licence is required and this can only be obtained upon the application of the registered grave owner(s).

LICENCE CONDITIONS

44 The Ministry of Justice may prescribe specific actions that are to be carried out during the exhumation process. Exhumation will always take place very early in the morning and in most cases will require the attendance of a local Environmental Health Officer.

FEES AND CHARGES FOR EXHUMATIONS

45. It will be the responsibility of the person requiring the exhumation to pay all fees for all requirements and to ensure that logistically the exhumation is carried out with due regard for the health and safety of all those involved, public decency and respect for the deceased.

##### Funeral Services

PREPARATION OF GRAVES

46. All graves will be dug or excavated by persons employed by the burial authority.

PLACING OF SPOIL

47. The burial authority reserves the right to place excavated spoil on graves adjacent to those that need to be opened for an interment, without notice. The spoil will be removed immediately following the interment and the area will be restored to its former condition.

REMOVAL OF MEMORIALS

48. The burial authority reserves the right of passage over all graves for all purposes connected with the Cemetery and the right to remove and replace memorials adjacent to those that need to be opened for an interment, without notice, to provide access for equipment. Any memorials disturbed in this way will be re-erected as soon as possible after the interment, but the burial authority will not be responsible in the event of a memorial being lost, broken or damaged through any cause other than their negligence.

# Coffins/caskets

CONSTRUCTION OF COFFINS

49 Every deceased brought into the Cemetery for interment shall be contained in a suitable coffin/casket. Traditional wooden coffins or ecologically friendly coffins only shall be used.

COFFIN/CASKET DIMENSIONS

50 The exact dimensions of the coffin/casket shall be entered on the Notice of Interment. Should the coffin be in excess of standard size an additional charge may be incurred. If the dimensions alter, the Cemetery must be informed in writing to the BSO at least two working day prior to the burial.

IDENTIFICATION

51. To every coffin/casket must be attached some permanent form of identification marker bearing the full name of the deceased and their date of death.

BEARERS

52 The responsibility for providing sufficient bearers to carry the coffin rests with the Funeral Director or person arranging the funeral.

NOT MORE THAN ONE BODY IN EACH COFFIN

53. Each individual body, whether an adult or child, must be brought to the Cemetery in a separate coffin, except where:

* A mother has died in childbirth, in which case both the mother and child may be interred in the same coffin or
* Twins or multiple twins have died in childbirth, in which case the children may be interred in the same coffin.

DEATH FROM INFECTIOUS DISEASE

54 Where the funeral is of a person who has died of an infectious disease, the Notice of Interment must contain a statement to this effect.

COFFIN LID NOT TO BE REMOVED

55. No Funeral Director or other person shall be permitted to remove coffin lids from any coffin at any interment within the Cemetery without the express prior permission of the BSM.

BACKFILLING OF GRAVES

56. Representatives of the deceased may, at their own risk, backfill the grave after an interment but must strictly adhere to the instructions of the BSM or his/her representative in attendance. The burial authority will provide the equipment. Shoring must remain in place and may only be removed by burial authority employees at the appropriate time. The BSO must be notified in advance to ensure the necessary tools and equipment are in the right place.

CREMATED REMAINS

57. Cremated remains may be interred in caskets or containers constructed of biodegradable material, stone or metal in purchased graves or graves for cremated remains. Cremated remains may be interred in any previously purchased grave. A container must be used, identification of whose remains it contains must be firmly attached to that container. No cremated remains may be scattered on graves.

No purchase in reserve will be available in sections specially set aside for cremated remains and graves will be allocated and numbered sequentially.

REGISTERS

58 A Register of all Burials shall be kept by the BSM at the BSO, where searches may be made during office hours and certified extracts or certificates can be obtained a charge will be payable for each certificate..

# Graves

59. Stoke Cemetery is segregated by religious denominations. Enquiries about sections of the Cemeteries reserved for different religious groups should be made to the BSO and the allocation of graves in these sections is subject to availability.

60. The allocation of grave spaces in all cases shall be at the discretion of the burial authority. If requested at the time of booking the interment, new graves will be available for selection subject to the approval of the burial authority.

REOPENING OF GRAVES

61 Graves may be re-opened for further interments subject to space being available and written authority obtained from the grave owner(s).

62. Where any grave is re-opened for the purpose of making another burial therein no person shall disturb any human remains interred therein or remove them from any soil which is offensive.

63. No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave on a previous occasion by a layer of earth not less than 15cm (6“) thick

# Exclusive Right of Burial

Grant of Exclusive Right of Burial

64. The burial authority will grant on such terms and subject to such conditions as they think proper and upon payment of the appropriate fee or fees to any person aged eighteen years or over, for a period of thirty years, the Exclusive Right of Burial in any grave space or grave together with the Exclusive Right of Burial therein. The full name and address of the person(s) (for practical purposes a maximum of four persons) to be registered as the owner.

#### Right of Burial

65. The purchase of an Exclusive Right of Burial entitles the deed holder(s) the sole right to determine who is buried in the grave and whether a memorial can be erected on the grave. The burial authority will not be held responsible if due to factors outside its control the full number of interments cannot be achieved.

### Consent of Grave Owner(S) Required

66 No body shall be buried or cremated remains interred in the grave in which an Exclusive Right of Burial for the time being subsists, except with the consent in writing of the owner(s) of the right.

### Interment of Grave Owner

67. To ensure that only the correct person is interred in the grave, any variation in the names must be explained and confirmed by a Statutory Declaration before the interment can take place.

### Certificate of Grant

68. Upon payment of the appropriate fee, the purchaser(s) of the Exclusive Right of Burial in any grave space shall be furnished with a certificate thereof, and the particulars thereof shall be entered in a registry book to be kept for that purpose. The certificate will stipulate the full name of the owner(s) and the terms on which the certificate has been issued as follows:

* The right of burial shall be exercisable only (subject as mentioned below) for a period of 30 years from the date of the burial for all Exclusive Right of Burial issued after April 2013.
* During the period of the Exclusive Right of Burial, the registered owner(s) will have the right to erect upon the specified grave a memorial that complies in all respects, including any inscription thereon, with the requirements of these Regulations.

69. The owner of Exclusive Right of Burial is responsible for informing the burial authority of any change of address.

**70. PLEASE NOTE**: **Graves cannot be reserved for future use.**

PURCHASED GRAVES – REPAIR OF MEMORIALS

71 All memorials shall be kept in good repair at the expense of the registered grave owners, including repairs necessary due to vandalism.

### Unpurchased Graves

72 Unpurchased graves are available for those requiring burial, but who choose not to purchase an Exclusive Right of Burial. When it is desired that the interment shall take place in an unpurchased grave, the notice of interment must be signed by:

* A near relative of the deceased, and/or
* Accompanied by a form of consent in writing signed by a near relative, or
* Accompanied by consent in writing signed by a person acting on behalf of the relatives of the deceased authorising the interment in an unpurchased grave.

The BSM or nominated officer will determine the position of all new unpurchased graves. Relatives of the deceased have no right to be buried in that grave, nor do they have any right to place a memorial on the same.

### Assignment of Exclusive Right of Burial

73. Exclusive Rights of Burial in purchased ground shall not be assigned except by deed, and on each change of ownership, whether by purchase or devise, the person claiming such right shall forthwith give notice of his/her claim to the BSM and establish the same by sufficient evidence, when his/her title, if satisfactory, will be recorded in the registry book. Where the living owner of the grave wishes to transfer ownership of a grave, this can be carried out by completion of a Form of Assignment and submitting it to the BSO together with the original deed, (Forms of Assignment are available from the BSO.)

### Transferring the Exclusive Right of Burial

74. The ownership of exclusive rights is an important legal matter. Ownership of Exclusive Rights may only be transferred in one of the following ways:

75. The owner of the Exclusive Right of Burial may assign the Right of Burial to another person. A Form of Assignment shall be submitted to the burial authority and the Grant of Exclusive Right of Burial must be produced for endorsement by the burial authority

76. Following the death of the owner, the Exclusive Right of Burial in any grave space, walled grave or vault must be transferred and re-registered before the grave can be further re-opened or any stone or monument erected thereon or any existing stone or monument repaired, altered or removed.

77. Transfer of ownership (as referred to above) can take place on production of any the relevant applicant and supported legal documents to the BSO.

78. Where no interment has taken place in the grave, the owner of the right of burial may surrender the same to the burial authority and receive from the burial authority, a payment not exceeding the original purchase price. An administration fee is also payable to the burial authority in such instances. No refund will be made where the Exclusive Right period has lapsed.

**Interments of Residents and NON-RESIDENTS.**

RESIDENTS

79. Residents shall include a person who at the time of purchasing a grave was a resident within Guildford Borough. The purchaser or owner of the Exclusive Right of Burial shall, if that Right was purchased whilst a resident of the Borough, be entitled to have interred in any grave to which that right exists, the body of any person who at the time of the purchase was a resident within the Borough but at death resided elsewhere, without the payment of an extra fee.

80 Resident status may be granted to other persons at the discretion of the BSM.

NON-RESIDENTS

81. Persons not residing in the Borough will be charged non-resident fees in accord with scale of fees and charges. If exceptionally, the deceased lived in the Borough for the majority of their life but took up residence outside the Borough boundary to receive full time care within 2 years of death, resident status will be granted.

**MEMORIALS**

RIGHT TO ERECT MEMORIALS

82. Memorials may only be erected over graves in respect of which the

Exclusive Right of Burial has been purchased. The right to erect a memorial

rests with the Exclusive Right deed holder. No work must be carried out

before the burial authority has granted permission and the appropriate fee has

been paid.

OWNER’S CONSENT

83. No headstone, monument or memorial will be allowed to be fixed upon any grave without the written authority of the Owner(s); nor shall any lettering or cleaning be permitted without such authority being first delivered to the BSO.

ADMISSION OF MEMORIALS

84. Memorials will be admitted into the Cemeteries provided all fees have been paid. No memorials or materials shall be brought into the Cemetery unless required for the immediate placement of a memorial.

BENCHES

85. Benches are available to dedicate for a period of 10 years. The bench is supplied by the burial authority and the position determined by the burial authority staff. No privately owned benches are allowed within the cemetery.

ADMISSION OF WORKPEOPLE

86. No masons, letter cutters or other workpeople engaged in fixing, delivering, painting or repairing memorials will be admitted to the cemeteries on Saturdays, Sundays, Christmas Day, Good Friday and public and local fixed holidays, or on any other day before 9.00am, except with the sanction of the BSM, and must leave the Cemetery no later than the official closing time.

CONTROL OF WORKPEOPLE

87. All workpeople employed on behalf of the owner(s) of the Exclusive Right of Burial, to erect any memorial shall carry out their work strictly under the direction of the burial authority and shall:

* Comply with all reasonable directions and requirements of the BSM or Cemetery staff.
* At the cost of the owner(s), fill up and level the ground, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of work to the satisfaction of the BSM.
* Provide their own tools and equipment
* Continue any work in connection with a memorial with due dispatch until fully complete.

POSITION OF MEMORIALS

88. The position for headstones, monuments and memorials shall be subject to the approval of the BSM or his/her representative. Headstones shall be fixed in alignment with adjacent memorials.

QUALITY STANDARDS

89. All new memorials, and re-fixed memorials, are to be re-fixed in the Cemetery in accordance with the requirements of the National Association of Memorial Masons Code of Working Practice/ British Register of Accredited Memorial Masons/British Standard 8415, as amended from time to time. The method of fixing and the foundations thereof shall be executed to the satisfaction of the BSM or his/her representative. Headstones, monuments or memorials shall not be allowed to be fixed in unsuitable weather, nor whilst the ground is in an unfit state. No memorial may be erected until the first anniversary of the burial.

MATERIAL OF HEADSTONES, MONUMENTS AND MEMORIALS

90. All materials for memorials shall be conveyed into the Cemetery in such a manner as the BSM or his/her representative shall from time to time direct. Permanent memorials must be constructed of best quarried materials. All dowels used in the construction of a memorial must be made from either A2 or A4 grade stainless steel or the latest specification recommended by National Association of Memorial Masons Code of Working Practice/ British Register of Accredited Memorial Masons/ British Standard 8415. Memorials may not be painted, but limited use of etched and enamelled ornamentation will be accepted subject to the approval of the BSM, copy of the ornamentation required with the application. Flower containers may be incorpated into the design of the memorial. Drainage must be provided as appropriate on foundations, vases and bases. No memorials constructed of plastic or fibreglass, glass, chalk, plaster, concrete, terracotta, ceramic or clay likely to perish or deteriorate will be permitted in the construction of any memorial erected within the Cemeteries and the burial authority reserves the right to reject any material it deems to be unsuitable. Permanent memorials may not be of wood or metals.

PHOTOGRAPHS

91. Subject to the permission of the BSM, photographic plaques of an approved size may be affixed to monuments, provided that such photographs (limited to head and shoulder images) are of an approved material and do not exceed an overall size of 15cm x 10cm (6” x 4”) and are limited to one per interment in the grave. Copy of photo required with the application.

GRAVE NUMBER

92 The number of the grave shall be engraved on the back of all new, refixed and replaced memorials in letters not less than 15mm (5/8 of an inch) in height. Memorials erected with the ground anchor system must display an asterisk next to the grave number.

ERECTING MEMORIALS

93. All headstones, monuments or memorials of whatever description admitted into the Cemetery or permitted to be erected therein shall be so erected and remain at the sole risk of the owner(s) thereof. The burial authority will not accept responsibility for any accidents to memorials etc., occasioned by storm, wind, lightning, subsidence or other causes, or by third parties.

REMOVAL OF MEMORIALS FOR THE RE-OPENING OF A GRAVE

94. All memorials that are removed from an existing grave are to be removed from the cemetery. No memorial may be rolled off the grave and left within the cemetery.

FOUNDATIONS

95 Drainage must be provided as appropriate on foundations.

VASES AND FLOWER CONTAINERS

96. Flower containers of an ornamental character may be placed on private graves without a fee provided they are not made of glass, bear no personal inscription, do not exceed 30cm (12”) in height and 23cm (9”) in thickness, and do not exceed the width of any memorial as specified in the regulations for the specific memorial types. There is no restriction on the colour for containers provided they are in accordance with the dignity of the cemetery. A vase of quarried material bearing a personal inscription shall be regarded as a memorial, however, and is subject to the fees payable under the scale of charges. Drainage must be provided as appropriate on vases.

NOTICE TO BE GIVEN

97 Twenty-four hours prior notice must be given before removing a memorial or carrying out any work in connection therewith.

MAINTENACE OF MEMORIALS

98 All graves in respect of which the Exclusive Right of Burial has been granted, together with the monuments and gravestones thereon shall be kept in good repair by the owners. No headstone, monument or other memorial shall be altered or interfered with after it has been erected in the Cemetery according to the designs submitted to and approved in writing by the burial authority nor shall any additional or altered inscription or lettering be placed, made or cut thereon without the previous consent of the burial authority notified in writing to the BSM. No cleaning down or renovating of headstones, monuments or memorials, painting, cutting of inscriptions or any other work will be permitted except with the consent of the burial authority given in writing by and under the direction and to the satisfaction of the BSM.

UNAUTHORISED MEMORIALS

99 Anyone erecting a monument or kerb set or who undertakes any memorial work within a Cemetery not in compliance with these regulations will be required to remove the said memorial or kerb set and pay all costs involved.

##### MEMORIAL MASONS

MEMORIAL MASONS

100. Purchasers of an Exclusive Right of Burial shall employ their own workpeople to erect any memorial or to remove and replace the same at the re-opening of a grave. Such workmen shall comply with such conditions as may be specified by the burial authority, and in case of any contravention of such conditions, the BSM shall be empowered to order any workpeople to leave the Cemetery and to prevent their re-entry thereto. Such exclusion will be extended to the exclusion of such workpeople in connection with any work in a Cemetery.

REGISTER OF MASONS

101 Only companies/memorial masons who appear on the burial authorities Register of Approved Memorial Masons, member of the National Association of Memorial Masons or the British Register of Accredited Memorial Masons are permitted to carry out work or place a memorial upon any grave in the Cemetery. The registration process and the criteria that must be satisfied to enable a company/memorial mason to become registered as an ‘Approved Memorial Mason’ are set out in the local Memorial Mason Registration Scheme. Application for acceptance onto the Register must be made in writing to the BSM using the appropriate form. Contravention of the Regulations may result in removal from the Register for a period to be determined by the burial authority.

INSURANCE

102. In accordance with the condition specified in the application there shall be produced with the application evidence of a policy of insurance taken out to cover the liability of the stonemason in the sum of at least £5 million and the receipt in respect of the premium paid under such policy.

MEMORIAL MASONS – TOOLS AND EQUIPMENT

103 Memorial masons and others fixing memorials and/or carrying out other work in the burial authority Cemeteries must furnish themselves with sufficient tools, plant, planks, blocks etc. All vehicles conveying headstones, monuments or memorials to the Cemetery shall proceed by a main road therein to the nearest point to that where the work is to be executed.

DRESSING OF MEMORIALS

104. All headstones, monuments, or memorials shall be completely worked before they are admitted to the Cemetery. No hewing, sawing or dressing of memorials will be permitted within the Cemeteries except the cutting of an inscription, which cannot be made prior to the erection of such memorial within the Cemetery or with the written permission of the BSM.

GUARANTEE OF WORKMANSHIP

105 Masons working in the burial authority Cemeteries must give a guarantee of workmanship (minimum 10 years).

##### MEMORIAL APPLICATIONS

MEMORIAL APPLICATIONS

106 Application for the approval to place a new memorial or kerb set in a Cemetery, alter or add any inscription, or replace, add to or remove from the Cemetery any memorial or kerb set, must be submitted to the BSM. The applicant shall submit for the approval of the burial authority the name and address of the memorial mason who will carry out the work, together with relevant drawings or plans and fixing methods of the memorial. The memorial application form must be fully completed detailing the full grave number.

DRAWINGS

107. A drawing of every memorial device, or other monumental work showing the form and dimensions figured thereon, accompanied by a specification and particulars of the materials to be used and a copy of every intended inscription (including any additional inscription) proposed to be executed on the appropriate memorial application form provided by the burial authority together with the appropriate fees, shall be delivered to the BSM for approval. Every memorial design shall have clearly indicated thereon by a line across the front or back thereof the depth to which it is proposed to place the memorial below the surface of the ground, and every such memorial shall, where erected, be placed below the surface of the ground up to such line, the measurements of each memorial shall be taken from such line upwards, such line to be shown on the drawings submitted.

GRAVE OWNER’S AUTHORITY

108. The full names, addresses and signature(s) of the person(s) placing the order for the memorial work to be undertaken must be the registered owner(s) of the Exclusive Right of Burial. No other signature will be accepted. If such owner of the Exclusive Right of Burial is deceased, the applicant must make application to transfer such Exclusive Rights.

INSCRIPTIONS UPON MEMORIALS

109 No inscription shall be placed upon any headstone, monument or memorial without written application to and consent of the burial authority given in writing thereto prior to such inscription being so placed. Inscriptions may be incised, or in relief, and may be painted black or white. Plastic or other inlaid lettering is not permitted in any form. Additions may be made to an inscription at a later date, following a subsequent interment in the same grave. However, any such addition must be separately approved. The lettering, layout and wording must be consistent with the original inscription. Any inscription in a language other than English requires a certified translation.

Inscriptions will be subjected to approval to ensure no offence is caused to any person. The Bereavement Services Manager retains the right to amend or refuse any inscription considered inappropriate.

It is the responsibility of the exclusive right of burial to notify us in writing of any change of address.

No privately owned memorials are permitted within the cemeteries.

MEMORIAL PERMITS

110. No headstone, monument or memorial will be admitted into nor any inscription upon or work in connection with the same permitted in the Cemetery without the previous consent of the burial authority thereto and the official permit and works order issued by the BSM and delivered to the Cemetery staff before the work is commenced.

VALIDITY OF PERMITS

111The issue of a memorial permit, which will be valid for 1 year, will confirm the approval of the burial authority for any such application, but this may be extended at the discretion of the BSM. No works will be undertaken unless a permit has been issued. The permit is issued on the understanding that the work undertaken will comply with the details specified within the application form and the requirements of these regulations.

## **Memorials Restrictions – lawn**

### Materials and Dimensions

112. Subject to the provisions of these regulations, memorials must be of a hard natural stone or granite of a design approved by the burial authority and must conform to the following dimensions and may only take the form of:

* Headstones which must not exceed cm (4ft) in height and 60.9cm (2ft) in width with a minimum thickness of 7.62cm (3”) and a maximum of 13cm (5”) erected on a base not exceeding 76.2cm (2’6”) in width 45.7cm (1’6”) in depth and 7.62cm (3”) thickness; or
* Monuments including carved figures, scroll, open books or other type of monument approved by the burial authority must not be greater in dimension above ground level than could be cut from a solid block 76.2cm (2ft 6”) in length 45.7cm (1’6”) in width and 7.62cm (3”) thickness and to be placed at the head end of the grave.

### Position of memorials and foundations

113 All memorials must be erected at the head of the grave and be supported by a foundation approved by the BSM. Foundation slabs must rest below ground level and must exceed the dimensions of the memorial by not less than 5cm. All foundations must meet the National Association of Memorial Masons Code of Working Practice/British Registration of Accredited Memorial Masons and British Standard 8415).

Ground Anchors etc

### Mounds, kerbs etc

114. The right to enclose any graves on lawn sections will not be granted. No grave mound, raised or sunken footstones, kerbs, chippings, landing, plastic or wooden fencing ornamentation or memorials of any other description are permitted. Prohibited items will be removed into temporary storage awaiting collection by the grave owner or representative.

115 No wreaths, flowers or any flower holder or receptacles shall be placed on any grave except for a period of seven days at Christmas and Easter and after any interment has taken place in such grave, but flowers may be placed at any time in a memorial vase forming part of the headstone and/or within 46cm (18”) of the front of the memorial and must not exceed the width of the memorial. The burial authority reserves the right to remove any wreaths, flowers, flower holders or other receptacles, which are placed or remain on any grave in contravention of this regulation.

**memorial restrictions – traditional**

116. On traditional sections no memorial must exceed the following dimensions:

* Single grave – 198cm x 76cm (6’6 x 2’6”)
* Double grave – 198cm x 137cm (6’6 x 7’2”)

### 117. Headstones

* Headstones which must not exceed cm (4ft) in height and 60.9cm (2ft) in width with a minimum thickness of 7.62cm (3”) and a maximum of 13cm (5”) erected on a base not exceeding 76.2cm (2’6”) in width 45.7cm (1’6”) in depth and 7.62cm (3”) thickness
* Shall not be less than 7.62cm (3”) and not more than 13cm (5”) in thickness
* Without kerbing shall not exceed 76.20cm (2’6”) in width
* Shall where practicable be fixed into a suitable foundation as detailed in the National Association of Memorial Masons Code of Working Practice/BRAMM or British Standard 8415. Foundation slabs for headstones should always be wider than the headstone base. They should be a minimum thickness of 3” (8cm) and a minimum depth (i.e. front to back of 38cm (15”)
* Must be fixed to the foundation using an approved ground support system (as detailed in the National Association of Memorial Masons Code of Working Practice/BRAMM or British Standard 8415) or dowelled into the foundation slab using the specification dowels as laid down in the National Association of Memorial Masons Code of Working Practice/BRAMM or British Standard 8415.
* Must not rest on top of kerbing

### Kerbs

118. Kerbs shall be constructed of a single piece of stone not less than 15.24cm (6”) deep and not less than 7.62cm (3”) wide. Chippings may be placed inside kerbing provided they rest on stone or pre-cast concrete slabs not less than 5.08cm (2”) thick, the soil having been first carefully removed. Corner posts may be incorporated in the kerb set but shall be constructed of a single piece of natural stone not less than 10.1cm (4”) high nor less than 10.1cm (4”) square. All memorials or kerb sets shall be constructed of granite, marble, slate or other hard natural stone of durable and sound quality.

Contiguous Grave Spaces

119. Memorials will be permitted to span contiguous grave spaces where Exclusive Right of Burial have been granted to the same person. In view of the varying Cemetery, sections and grave dimensions applicable, it will be necessary for each written application for a Grant of Memorial Right to be considered on an individual basis and compliance with other appropriate Regulations will be a requirement.

Foundations

120. All kerb sets and memorials on private graves must be fixed on a foundation that must be reinforced to meet the standards of both BS8415 and BS4449. All foundations must meet National Association of Memorial Mason Code of Working Practice/British Registration of Accredited Memorial Masons and British Standard 8415.

### Railings, chains etc

121 Railings, chains, solar powered lights, lanterns and wind chimes are not permissible on graves or monuments. No monument or fences constructed of plastic, wood, glass, ferrous metals or tiles are permitted. Any unauthorised memorial or tombstone will be removed by the burial authority in accordance with Article 14 of the *Local Authorities Cemeteries Order 1977* and shall be at the expense of the grave owner of their personal representative.

### memorial restrictions - Children’s Graves

122. A variety of memorials are permitted, e.g. tablet, plinth, vase, small headstone, book and/or kerbs. The maximum permitted height is 60cm (24”) maximum width is 60cm (24”) and 30.4cm (12”) in depth. The total size of headstone and kerbs together should not exceed 60cm (24”) wide and 90cm (36”) long.

Foundations – Lawn Style Memorial:

All memorials must be erected at the head of the grave and be supported by a foundation approved by the BSM. Foundation slabs must rest below ground level and must exceed the dimensions of the memorial by not less than 5cm. All foundations must meet the National Association of Memorial Masons Code of Working Practice/British Registration of Accredited Memorial Masons and British Standard 8415).

Foundation – Traditional Style Memorials (Kerb Set)

All kerb sets and memorials on private graves must be fixed on a foundation that must be reinforced to meet the standards of both BS8415 and BS4449. All foundations must meet National Association of Memorial Mason Code of Working Practice/British Registration of Accredited Memorial Masons and British Standard 8415.

## Temporary memorials

123. A temporary wooden cross not exceeding 90cm (3ft) in height above level by 60cm (2ft) wide may be erected at the head of the grave for the first twelve months following an interment. The Owner(s) of Exclusive Right of Burial shall remove this temporary memorial when a permanent memorial is erected. The burial authority reserves the right to remove and dispose of the cross, should it fall in disrepair or if it remains on site after a permanent memorial has been erected.

## **memorial restrictions - Garden of Remembrance (Within the Circle)**

124. No memorial may be erected on any space other than approved by the burial authority and in a position approved by the BSM. The maximum permitted height is 69cm (27”) high; 92cm (3ft) wide may be permitted.

125. Wreaths and plants may not be placed in the Garden of Remembrance unless they are placed upon the foundation slab only.

**MEMORIAL RESTRICTIONS – ASHES PLOT**

Tablet memorials only are permitted within the ashes plot. The maximum size for the memorial tablet 3ft x 2ft. No NAMM fixing.

##### MEMORIAL RESTRICTIONS – MEMORIAL VAULTS

126. Memorial Vaults are leased for a period of 10, 20, 30, 40 or 50 years. The lease is subject to the following terms and conditions:

127. The memorial will be leased for a specified period after which it can be renewed. Before the expiry of the lease period efforts will be made by the burial authority to contact the leaseholder to remind them that the lease period will be ending.

128 If the lease period is not renewed then the cremated remains will either be reclaimed by the family or after a period of 3 months from the lease expiry date, the burial authority will remove them and either strew them or inter them within the Crematorium grounds.

129 The inscribed tablet can be taken away by the family, however, if this not done within 3 months of the date of the expiry of the lease then the burial authority reserves the right to dispose of the tablet in any way it deems appropriate.

130. Flowers can be placed in your own personal vase. The burial authority reserve the right to remove wilted tributes and dispose of them.

131. Flowers, pot plants etc are not to be placed on the footway. All memorabilia is to be placed on the vault base.

132. The burial authority cannot be responsible for any flowers/plants or any other items left in the area.

## **Memorials – General**

DECORATIONS

133. Items of pottery, tin, plastic or glass, bricks, blocks, wire mesh or plastic fences or any other object or materials which are fragile, easily breakable or which generate noise pose a safety hazard or impede access or maintenance will be removed by the burial authority without notice. Articles are placed solely at the owner’s risk. The BSM shall be at liberty to remove from graves any moveable article that shall be broken or has become unsightly. The burial authority reserves the right to remove and dispose of prohibited articles, deteriorated or withered wreaths and flowers without notice.

134. An appointment is necessary for any memorial works. Please telephone the BSO 01483 444711.

135. Work on memorials shall not be carried out on Saturdays, Sundays or Bank Holidays.

136. The removal and re-erection of a memorial to facilitate the re-opening of a grave or to level such grave shall be at the expense of the grave owner(s) or their personal representative. Such work shall be undertaken by a Memorial Mason registered by the burial authority or masons who are members of the BRAMM or NAMM and such memorials shall be replaced as soon as practical after the interment. An application to re-erect the memorial with an additional inscription shall be submitted to the burial authority.

## **Inspection of Memorials**

137. The burial authority periodically inspects all memorials and if any are found to be in an unsafe condition, the burial authority will make the memorial safe, which may mean staking, banding and a notice being posted on the memorial or taking such other remedial action to remove the danger as it thinks fit.

138. Memorial owners shall be responsible for the cost of repairing or re-instating memorials, which have been staked and banded. The burial authority will endeavour to notify memorial owners of unsafe memorials.

139. Where necessary action has been taken in regard to any unsafe memorials and the costs of repair have been borne by the burial authority, such costs will be recovered from the owner(s) of the memorial or subsequent claimant to the Exclusive Right of Burial, should they become known to the burial authority.

140. The burial authority reserves the right to:

* Remove, without notice, any memorial and take any necessary precautions to safeguard the burial authority employees or contractors when digging graves adjacent to any memorial.
* To re-fix, move, line-up or otherwise alter the position of any memorial in a Cemetery as required.
* Remove any monument or memorial, which has become, or is likely to become, dangerous or which is in a derelict or unsightly condition.
* Remove any monument or memorial where the periods of Exclusive Right of Burial and Right to erect of Memorial have elapsed or when the Right to Erect a Memorial is deemed to be terminated.
* Remove any memorials or other items placed upon a grave in contravention of these regulations, without notice.

# Maintenance and Upkeep of the Cemetery

141. The burial authority shall endeavour to reinstate all newly excavated graves within 12 months of an interment, subject to ground conditions and to the season of the year being appropriate for these works to be undertaken. This period is necessary to allow the natural subsidence of the earth used to fill the grave. The reinstatement shall include the levelling and seeding of the grave surface.

142. No mound will be permitted over any grave other than to allow for settlement.

143 Funeral wreaths will generally be disposed of within 14 days after interment.

144. The placing of items such as lanterns, low level fencing or chippings is not permitted on any part of the grave. We require that all lawn areas to be kept clear.

145. Planting is not permitted in the Garden of Remembrance.

146. The burial authority reserves the right to remove without prior notice any shrubs, trees or plants, floral tributes not considered to be accordance with these regulations, infringing on adjacent grave spaces or that in its opinion have become unsightly and to dispose of the same in such a manner as it deems fit.

147 The burial authority may recover the cost of removing any unauthorised memorials, materials, tributes and reinstating any damage caused to the ground or any feature within the Cemetery from the owner(s) of the exclusive right of burial.

148. No liability is accepted by the burial authority for loss or damage to planting caused as result of excavating adjoining graves.

149. The burial authority will not accept any liability for any memorabilia left on the grave.

150. Grass cutting leaf and litter clearing, upkeep of trees, shrubs, flowerbeds and hedges will be carried out by the cremation authority or their contractor, at a frequency determined by the burial authority and weather conditions. at a frequency determined by the burial authority and by weather conditions. The burial authority reserves the right to disconnect the water supply to avoid freezing, when a drought order has been granted or the water supply provided is abused.

151. The burial authority reserves the right to change the appearance of the Cemetery and therefore the environment of the surround adjacent to a specific grave may change as may any amenity or feature adjacent to the grave.

# Fees

152 The Burial Authority will determine fees for the burial services annually, to take

effect from 1st April each year. All fees are approved by Full Council and are payable in

advance to the Burial Authority.

Fees and charges for all Cemetery services will be determined by the burial authority in accordance with the powers derived under Article 15 (1) of the Local Authorities Cemeteries Order 1977.

151. Fees are payable in advance to the burial authority except in the case of Funeral Directors and Monumental Masons dealing continuously with the burial authority who are invoiced on a regular basis by the burial authority.

**Miscellaneous Provisions**

LOSS OR DAMAGE

153. All persons entering the cemeteries do so at their own risk and the burial authority will not accept any liability for injuries or damaged sustained for any reason whatsoever.

154 The burial authority shall not be held responsible for the safekeeping of any wreaths, flowers, plants or any other objects placed in the cemeteries nor for any damage caused to memorials or monuments by winds, storm, inclement weather, vandalism or other factors outside of its control.

ALTERATIONS TO THE REGUALTIONS

155. The burial authority reserves the right from time to time to make any alterations or additions to these regulations as necessary. The burial authority ruling on these regulations shall be final.

REPEAL OF FORMER REGULATIONS

156. Any regulations previously enforced in respect of the Crematorium are hereby revoked. The foregoing regulations were approved by the burial authority on of 2019.