



# **Hartshill Parish Council**

## **Cemetery Policy/Rules & Regulations**



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**1. Introduction** - All Local Authority managed cemeteries are subject to standards and conditions known as Cemetery Rules and Regulations. These are designed to inform all Cemetery users the aspects of the management of the cemetery and the reasonable requirements applicable to them. The regulations include the statutory requirements contained within the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977 together with any other relevant legislation that governs this service.

Hartshill Parish Council reserves the right to make alterations in or additions to these Rules and Regulations, Fees and Charges specified herein.

**2. Definitions** -Throughout these rules and regulations the following definitions apply:

*'The Council'* means Hartshill Parish Council

*'The Cemetery'* means the cemetery provided by the Council at Cemetery Lane, Hartshill

*'Purchased Grave'* means any earthen grave, where the Exclusive Right of Burial has been granted by the Council

*'Public Grave'* means any earthen grave, where the Council has not granted the Exclusive Right of Burial

*'Memorial'* means all memorials authorised to be permitted within the cemetery

*'A traditional plot'* means graves dug to accommodate a standard coffin 78 inches in length and to a maximum width of 26 inches and laid out in accordance with the regulations below.

*'Cremation plot'* means plots dug to accommodate a casket of human cremated remains.

*The Cemetery Manager'* means the Officer of the Council acting as the Burial Authority Representative

None of the following can take place without specific written permission of the Cemetery Manager or if unavailable, any other person so authorised by the Council;

Burials or exhumations, erection or fixing of a memorial, additional inscriptions to memorial, renovation of a memorial, removal or replacement of a memorial.

**3. Enquiries** - All enquiries should be made to the Parish Council;

Telephone Number: 02476 397961

or write to

**Mrs Olwyn Hardy - Cemetery Manager**

**Hartshill Parish Council,**

**Hartshill Community Centre,**

**Church Road,**

**Hartshill, CV10 0LY**

Email address: hartshillparishcouncil@gmail.com

or via the contact form on the website at [www.hartshillparishcouncil.org.uk](http://www.hartshillparishcouncil.org.uk)

**4. Cemetery opening hours** -Open all year round. If it becomes necessary to lock the gates due to circumstances beyond our control, then notices will be displayed advising visitors.

**5. Hours of Interment** - Interments can take place during the following hours:

Monday to Friday 10.00 a.m. to 2.30.p.m. during winter months (October to March)

Monday to Friday 10.00 a.m.to 3.00 p.m. during summer months (April to September)

Interments will not be allowed on Saturday, Sunday, Christmas Day, Good Friday or Bank or Public Holidays.

In cases of emergency where the burial must take place on one of these days a medical certificate must be produced to confirm that the immediate burial is necessary on the grounds of public health.

**6. Notice for interment** - All Interment requests must be made on the Notice of Interment form supplied by the Council. The details provided on the form must be clear and complete.

The Notice of Interment must be delivered to the Cemetery Manager at least three clear working days prior to the time the burial is due to take place, excluding Saturday, Sunday, Bank and Public Holidays.

**7. Ministers and Clergymen** - A burial can take place with or without a Religious Service. It is the responsibility of the funeral director or bereaved family to arrange for a Minister or other persons authorised to officiate at the burial.

**8. Alteration to funeral arrangements** - When a Notice of Interment has been accepted no alteration will be permitted except in regard of the time of the burial. In this case written notice must be provided no later than 2 working days (48 hours) before the interment is due to take place. The Council will not be responsible for any misunderstandings, which may arise as a result of a telephone instruction only. Any requests, which have been made on the telephone, must be immediately confirmed in writing. Any additional expense incurred by the Council as a result of incorrect information having been supplied will be charged to the person making the application.

**9. Character of coffins** - The majority of coffins purchased are made out of wood and these are accepted. The Council will consider requests from those who wish to use alternative materials.

**10. Disposal certificates** - No funeral can take place without a Certificate for Disposal or the Coroners Order for burial. The appropriate documentation must be first provided to the Cemetery Manager or Council representative at the cemetery before the interment can take place. Failure to provide the necessary documentation will result in the delay of the burial until the certificate can be produced.

**11. Funeral cortege** - The time stated for a funeral must be punctually observed to prevent inconvenience, or one funeral interfering with another. All funeral corteges are under the control and direction of the Council representative. The Council representative will check the coffin plaque details against the appropriate certificate produced for disposal to ensure correctness. Private cars must park in the car park and not beyond the boundaries of the car park. If it is anticipated that a large number of persons may be expected to assemble at any one burial, this must be reported to the cemetery office the day before the proposed funeral.

**12. Cemetery records** - As soon as is reasonably practicable all details relating to a burial are recorded within registers provided by the Council. Documentation relating to new graves is sent direct to the purchaser.

**13. Purchasing a private grave space** - The Council will provide a deed titled "Exclusive Right of Burial" upon receipt of the fees to purchase a new grave. This document is proof of ownership. This document must be produced to the Council when a request is made to re-open the grave. The period of which the Exclusive Right of Burial is granted is 100 years.

**14. Allocation of grave spaces** - The choosing of the position of a new grave space is managed by the cemetery office. Burials will only be allowed in designated areas previously laid out for burial. These areas are identified on the cemetery plans.

**15. Re-Opening of Private Graves** - No grave in which the Exclusive Right of Burial has been purchased shall be opened without the production of the deed or signature of the owner or his/her next of kin or assignees.

**16. Transfer of grave ownership** - In the event of the death of the original grave owner, the person claiming to be entitled to the ownership rights must obtain a formal transfer of ownership with the Council. A copy of the last will and testament identifying the Executor/Executrix will be accepted as proof of intended ownership. If this information is not available, then the full names and addresses of all surviving children of the deceased will be required to prepare the title deed/ownership transfer.

**17. Burial excavation procedures** - All grave spaces are excavated by approved personnel appointed by the Council for this purpose. No grave shall be dug or excavated by any other person unless appointed by the Council. The final dressing of the grave space will normally be completed one hour before the cortege is expected to arrive.

Adjacent grave spaces will be required for the placing of spoil. The grave will be fully reinstated to its original appearance once the interment has taken place.

All bodies for interment are to be contained within a suitable sealed container, such as a wooden coffin or casket for cremated remains. Such containers are to bear the identity of the person contained therein.

Graves are to be dug to accommodate a standard coffin 78 inches in length and to a maximum width of 28 inches. Notice must be given if a coffin exceeds these limits and an extra fee will be applied.

Once the earth on a grave has settled and twelve months has passed after the interment, the deed holder may seek permission from the Council to erect a memorial

**18. Graves – General Information** – For grounds maintenance and to meet health and safety requirements, the placing of fencing, enclosures, kerb surrounds, or border stones are permitted on any grave space in any section designated as a lawn area. The placing of glass items and solar lighting on grave spaces is not permitted. Domestic bottles, glass vases, jars, tins or other unsuitable receptacles must not be used as they present safety hazards. Any such receptacles will be removed by the Council. The Council reserves the right to remove any flowers, or other tribute at any time if they become unsightly or their positioning interferes with any other grave space.

Plastic windmills/Wind Chimes – These ornaments are increasingly appearing in cemeteries. They often make noises that disturb funeral services at nearby graves and they break into dangerous fragments if struck by strimming cord. These items should not be placed on graves and will be removed by the Council. These regulations are in place to reduce potential risk to staff and visitors and to keep the cemetery safe and tidy.

Bird Feeders of any kind are not permitted in the Cemetery. These will be removed by the Groundskeeper should they appear.

The Council reserves the right to remove from any grave space any items that may interfere with the grounds maintenance. Any items seen to be causing an immediate hazard or danger will be removed immediately without notice. The placing of miniatures, cans, bottles or other receptacles of alcoholic beverages on grave spaces is not permitted.

Dead flowers, waste paper from florist packaging and other refuse shall be put in the bins, if appropriate to the size of the bin, or the skip provided for that use. The skip is to be used for cemetery waste only and not for items than should be disposed of at Household and Rubbish Recycling Centres.

**19. Depth and size of graves** - No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave. The coffins in the grave must be separated by means of a layer of earth not less than six inches in thickness. When a grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove therefrom any soil which is offensive.

**20. Interment of cremated remains caskets** - The burial of cremated remains caskets are allowed in existing full grave spaces in the cemetery, up to a maximum of four. Where a further full coffined burial is required, the cremated remain casket will be positioned to a sufficient depth to ensure that the casket is not disturbed in any way in the future.

**21. Grave re-instatement**- Whenever an interment has taken place the grave will continue to settle for approximately six months or longer depending upon soil conditions. During this time cemetery personnel will level the grave with topsoil as and when required. Graves can also settle unexpectedly during inclement weather conditions, if this happens arrangements will be made to level the grave as soon as possible. No shrubs or trees must be planted on any grave space. The Council reserves the right to remove any shrubs, plants or flowers at any time when in their opinion the same have become unsightly or overgrown.

**22. Removal of floral arrangements** -Cemetery personnel will remove all funeral flowers and oasis displays when they become unsightly.

**23. Christmas Wreaths**- Wreaths can be placed on any grave, but should be removed by 1<sup>st</sup> March of each year, after which the Council reserves the right to remove them in preparation for spring and summer maintenance.

**24. Memorial Masons registration scheme** - The Council operates a Memorial Masons Registration Scheme. No Memorial Mason will be permitted to carry out work within the Cemetery unless they are registered in the scheme.

**25. Memorials** - A copy of the Council's Memorial Rules and Regulations, and the Management of Memorials Policy is available upon request.

No memorial will be permitted on any grave without the consent of the Parish Council. The Council reserves the right to remove any headstone or other memorial erected or placed on a grave without the permission of the Council.

As the owner of a grave, the deed holder is responsible for the safety of the headstone or other memorial on the grave. If it becomes loose, leans, or otherwise appears unsafe, contact should be made with the Cemetery Manager so you can advise of how you wish to repair. The Council shall not be held responsible for any damage to or caused to the memorial howsoever incurred.

It is advisable that appropriate insurance is purchased to cover your headstone against accidental damage.

**26. Memorial Benches** - A copy of the Council's Memorial Bench Policy is upon request. Please note only 12 benches are permitted in the Cemetery at any one time and spaces already allocated for benches by the Council may be used.

**27. Fees and charges** - A table of fees is available upon request. The Council reserves the right to revise these fees and charges.

**28. Behaviour in cemeteries** - The Local Authorities Cemeteries Order 1977 provides 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, tombstone or other memorial, or any flowers or plants, play at any game or sport in the cemetery, or exercise any animal

None of the acts described in the foregoing paragraph are therefore permitted in the cemetery and in particular:

No person is to enter, leave, seek to enter or seek to leave the cemetery other than through the main entrance off Cemetery Lane or the entrance gate off The Woodlands.

No person is to interrupt or delay a burial by his or her behaviour, nor is any person to obstruct, disturb or annoy any person lawfully using the cemetery

No person is to mark or disfigure any memorial, wall or fence in the cemetery or put up any printed paper, handbill or sign

No person is to place animal feed or feeders of any kind within the cemetery.

No music is to be played in the cemetery except with the specific agreement of the Council

Children under 16 are not allowed in the cemetery unless they are under the care of a responsible adult.

**29. Allowances for dogs in cemetery** - A person shall not allow any dog belonging to them or in their charge to enter the cemetery unless it is on a lead. Persons visiting the cemetery with dogs **must ensure that the dog is always kept under strict control.** Dog faeces must be removed and deposited in an appropriate and responsible manner by the dog owner.

Dog owners MUST remember this is a burial ground and not a recreation area for dogs. Please respect our visitors to the Cemetery by keeping your dog under control while visiting or choose to exercise them in an alternative, more appropriate recreation space.

Failure to co-operate with the Council will result in legal action. (See item 34)

**30. Advertisements or selling** - No person shall be allowed to distribute business cards or advertisements within the cemetery. No person is allowed to solicit/sell/offer for sale/advertise goods/or any article or commodity of any description within the cemetery or at the entrance/s thereto.

**31. Vehicles** - Vehicles are permitted in the cemetery during opening hours and at the absolute discretion of the cemetery staff. Any vehicles, including bicycles, entering the cemetery must; be driven with due care and attention; comply with the cemetery staff directions and not be taken onto any grassed area.

The carpark is owned and managed by Hartshill Parish Council Burial Authority. Parking in the Cemetery is for visitors to the cemetery ONLY. Our carpark is monitored daily. Any vehicle using the carpark for personal use not relating to the Cemetery is subject to a Parking Charge Notice of up to £100 for a first offence and £10 per day following this. **(\*See item 34.)**

The Council shall not be held responsible for any damage to or theft from vehicles or other property left within the cemetery while visiting.

**32. Change of contact details-** The Council requires the deed holder, next of kin or nearest surviving relative to notify the Cemetery Manager of any change in contact address or telephone number as soon as possible so that the appropriate records can be updated.

**33. Differences or disputes-** Should any difference or disputes arise as to the real intent, meaning or interpretation of the rules and regulations, the decision of the Council shall be final.

**34. Alterations to these Regulations -** The above rules and regulations are not exhaustive and where matters arise that are not specifically covered, the Cemetery Manager and Cemetery Staff are authorised to make such decisions as they consider being reasonable and necessary for the day to day management and control of the Cemetery.

**\*Any person or persons who knowingly or wilfully contravene the Cemetery Rules and Regulations may be the subject of criminal prosecution (Local Authorities' Cemeteries Order 1977(Section 19).**

The Council reserves the right from time to time to make alterations in or additions to these Rules and Regulations and Cemetery Charges specified herein.

Reviewed 15<sup>th</sup> May 2019.