

## **RULES & REGULATIONS**

### **INTRODUCTION**

The following regulations apply to all sections of the Cemetery and are made by Newent Town Council under paragraph 3 (1) of the Local Authorities Cemetery Order 1977 for the proper management, regulation and control of the cemetery in Watery Lane, Newent.

All contractors wishing to work within the Town Council cemetery must provide annually, evidence of Public Liability and Employers Insurance cover to indemnify the Town Council against any claims arising from any acts or omissions.

Any persons wishing to undertake work in a Town Council cemetery must abide by the relevant regulations. Should any person not do so, the Town Council reserves the right to refuse further access.

No memorial shall be altered or interfered with after it has been erected in the cemetery according to the design submitted to and approved by the Town Council. Nor shall any work of any kind or description be undertaken or carried on within the cemetery without the consent of the Town Council first being obtained.

## **TIMES OF OPENING**

The gates of the Cemetery are open to the public at all times, unless otherwise advised.

## **PLANS**

Plans and records showing the situation of all graves in the Cemetery are kept at the Town Council Office, 1<sup>st</sup> Floor Newent Community Centre, Ross Road, Newent, GL18 1BD.

## **BURIALS**

The Funeral Director shall ensure that **all** applicants are given a copy of the “Rules & Regulations” at the time of completing each interment notice and will sign to confirm this action has been taken.

The Notice of Interment must be completed in full and contain the following details:-

- Full name and home address of the deceased
- Day and hour of funeral service
- Date of death and age of the deceased
- Full particulars and description of the grave to be used (single or double)
- Name of officiating clergy
- Full name and address of Funeral Director
- Name of individual acting as representative of the deceased

**Applications** - All applications for interments must be made on the forms provided and delivered to the Town Clerk, at the Town Council office, prior to the interment taking place.

The Funeral Director's signature is required on all Notice of Interments whether the grave be a new one or a re-open grave.

For the booking of interments (including those of cremated remains, or the strewing of cremated remains) all particulars must be completed on a Notice of Interment as supplied by the Town Council.

**Period of Notice to be given:** Notice of Interments shall be given on the Town Council's prescribed form which is available at the Town Council Office, 1<sup>st</sup> Floor Newent Community Centre, Ross Road, Newent, GL18 1BD, at least 3 days preceding the proposed interment (exclusive of Saturdays, Sundays or other public holidays). The Town Council will not be responsible for notification of burials given by telephone unless full particulars of such notices are provided in writing 48 hours prior to earth interment. The Town Council reserves the right to modify this Regulation where circumstances render such a course desirable.

**Payment of Fees:** All charges and fees shall be paid when the Notice of Interment is given.

**Arrangements with the Clergy:** The person having charge of the funeral shall make all arrangements with the officiating Clergyman or Minister. The Town Council undertake no responsibility in this matter.

**Selection of Grave Spaces:** Every grave shall be used in the order agreed with the Town Council.

**Interment:** Monday to Friday. No interments shall take place at Week-ends, on Bank Holidays, or on other public holidays.

**Disposal Certificate:** Part B of the Registrar's Certificate of Disposal, the Coroner's Order for Burial or the Cremation Certificate must be delivered to the Clerk of the Town Council prior to the interment taking place, either by the Clergy conducting the service or other person to whom the certificate has been delivered.

## **CONDUCT IN THE CEMETERY**

All visitors must conduct themselves in a quiet and orderly manner at all times. The Town Council has the right to exclude or remove any member of the public at their discretion.

Under the provision of the Local Authority's Cemetery Order 1977 it is an offence for a person to wilfully:-

- Create any disturbance in a cemetery
- Commit any nuisance in a cemetery
- Interfere with any burial taking place in a cemetery
- Interfere with any grave, tombstone or other memorial or any flowers or plants in any such manner
- Play at any game or sport in a cemetery

Persons who contravene these provisions shall be liable, upon conviction to a fine not exceeding £100.

No carriages or vehicles shall be driven, drawn or propelled within the cemetery at a speed exceeding 10 mph (and only used on the main drives). Every driver or person in charge of such a vehicle shall comply with the directives of the Town Council.

No cycles may be ridden in the cemetery.

No person whilst in the cemetery shall smoke within 50 feet of any place where a funeral or religious service is taking place.

No dogs (excluding guide dogs or hearing dogs) may be taken into the cemetery.

The use of personal mowers and strimmers is strictly prohibited.

Children under the age of 12 years shall not be permitted to enter the cemetery unless accompanied by an adult or with the express permission of an adult.

No person may canvas or solicit orders within the cemetery on his behalf or for any other person.

No demonstrations of any kind nor religious services other than the service at the time of interment shall be held without prior consent of the Town Council.

No musical instrument or other sound producing device will be allowed into the cemetery except when used as an integral part of a religious service.

The discharge of firearms is not permitted except when it is an integral part of a religious service.

All complaints must be made in writing to the Town Clerk, Newent Town Council, 1<sup>st</sup> Floor Newent Community Centre, Ross Road, Newent, GL18 1BD.

The Town Council reserves to themselves the right from time to time to revise the foregoing rules.

In order to help inform the public of these regulations Funeral Directors and Monumental Masons are asked to assist the Town Council to communicate with the public to ensure awareness and understanding of the regulations in this document.

## **BURIAL PROCEDURE**

**Excavation of Graves:** The person making the arrangements for the interment will be responsible for excavating the grave to the required depth and for backfilling following the interment, removal of surplus spoil from the cemetery and subsequently turf over. The date and time of excavation must be agreed with the Town Council in advance. This work shall be carried out in all respects to the satisfaction of the Town Council. No excavation work will be permitted in the cemetery on Christmas Day or Good Friday, except in exceptional circumstances. The use of mechanical digging devices will be assessed for suitability and will only be permitted with prior agreement from the Town Council.

**Safety Precautions:** The person making arrangements for the interment will be responsible for the provision of all necessary temporary planking and strutting, boarding over (when excavation or backfilling is not proceeding) and any such other safety precautions as the Town Council may direct or as may be required by any Statutes including any such regulations controlling safety of persons employed upon the works.

**Total Area of Ground Grave Space:** 8 ft x 4 ft overall (whether a single or double grave space).

**Depth of Graves:** The minimum requirements for the depth of graves are:-

**Single Graves:** Minimum depth of 4 ft 5 inches. This is to allow for the minimum depth of 3 ft of soil above the coffin at ground level as required by the Local Authorities' Cemetery Order 1977.

**Double Graves:** Minimum depth of 6 ft 2 inches to ensure that the coffin is effectively separated from the coffin interred in the grave on a previous occasion by means of a layer of earth not less than 6 inches thick as required by the Local Authority Cemetery Order 1977.

## **EXCLUSIVE RIGHT OF BURIAL**

The purchase of the Exclusive Right of Burial is the right for burial of one's self and/or members of one's family in a private grave on which a memorial headstone/vase can be placed at a later date.

**Purchase of Grave Space:** The Exclusive Right of Burial (for a period of 100 years) in a grave space required for immediate use (or reserved in advance) may be purchased by an inhabitant or a non inhabitant of the Parish of Newent subject to the payment of fees currently being prescribed by the Town Council. Under no circumstances will any fees be refunded.

The Exclusive Right of Burial does not give the purchaser any rights over land ownership of such a grave space, the land remains in the ownership of Newent Town Council.

On the purchase of the Exclusive Right of Burial in a grave, the Town Council shall issue a Deed of Grant of Right of Burial to the person to whom, or on whose behalf the Exclusive Right of Burial has been purchased and such named person shall be registered in the Purchased Grave Register as being the owner of the Deed. Whenever any interment takes place in a private grave the Deed of Grant shall be produced to the Town Clerk together with the Notice of Interment.

In the case where a Deed of Grant has been lost or mislaid then the grave will be opened on the application of any person who is entitled thereto by making a Statutory Declaration and giving an indemnity to the Newent Town Council

## **TRANSFERS OF GRANT OF RIGHT OF BURIAL**

All transfers of the Exclusive Right of Burial in a grave must be registered at the Town Council's Office.

Transfer of Exclusive Right of Burial is only allowed for the resale of such rights back to the Town Council, on a pre-purchased grave, which has had no interments at the time of transfer. The resale value of such transfers shall be the same as at the time the Exclusive Right of Burial was granted.

## **MEMORIALS**

Town Council permission must be obtained prior to the removal or placing of any memorial.

Memorial headstones must not exceed 3 ft in height including the base and 2 ft in height including the base for infants under 5 years.

The only permitted memorials on a grave will be a headstone, or headstone with integral vase(s) which must be of natural quarried material.

The fixing of kerb sets will not be permitted nor enclosing borders of any description nor the covering of the surface of the grave with stones/chippings.

No trees or shrubs or cultivated flower gardens shall be permitted on or near graves.

Headstones, vases and other items not complying with the foregoing conditions shall be removed.

Nothing is to stand on the grass in front of the area reserved for the base of a headstone.

No trenches or means of marking the boundary of a grave are permitted.

All new graves are lawn type graves and as such will be mown or strimmed on a regular basis.

**Memorial Tablets:** All grave spaces for cremated remains must have a base stone of 35 inches long x 23 1/2 inches wide installed. The tablet must not exceed 22 inches high (including the plinth) x 20 inches wide in appropriate design approved by the Town Council.

**Approval of Design of Memorials:** An application for permission to erect a memorial shall be made on the Town Council's prescribed form, which shall contain a dimensioned drawing or illustration of such memorial, details of the landing (where required) and a copy of every inscription and such an application shall be submitted to the Town Council and be accompanied by the appropriate fee. No memorial shall be permitted unless a permission in writing signed by the Town Council has first been obtained.

**Excavation for Memorials:** The person making the arrangements for the erection of the memorial will be responsible for the removal of all surplus spoil from the cemetery.

**Upkeep of Memorials:** All memorials shall be kept in good repair and in default thereof, the Town Council reserves the right to remove any such memorials or to require the owners to remove them. Memorials and base stones removed for the purposes of interments shall be retained by the stone mason until such times as they are refixed.

The Town Council will not be responsible for any damage or defacement to any memorial authorised or otherwise such being the responsibility of the owner thereof. (Insurance can be obtained to cover these occurrences).

### **MONUMENTAL MASONS**

No memorials shall be placed or erected except over graves in which the Exclusive Right of Burial is purchased.

Drawings (Technical and Graphic) and specifications of all memorials to be erected or placed over purchased graves with the proposed inscriptions, if any, and additional inscriptions for existing erections must be delivered to the Town Council offices in order that they may be approved. The name, quality of material proposed, height, breadth and thickness shall be stated on the appropriate form prescribed for such purposes and confirmation that it conforms to the National Association of Memorial Masons (NAMM) Code of Practice.

Monumental Masons must give appropriate notice to the Town Council prior to the commencement of work. No work can be carried out without prior permission.

On the rear of every headstone towards the base, the monumental mason's name can be shown and the grave number **must** be cut clearly for identification purposes. The grave number **must** also appear discreetly on memorial tablets.

All such work shall be carried out subject to the direction of the Town Council. The person employed for carrying out such work must use such means for protecting the grass and walks as directed. As soon as the works are completed the whole area used must be cleaned to the satisfaction of the Town Council or their representative.

**All working and dressing of stone or other material to be used in or about any grave, monument or memorial stone with the exception of cleaning shall be done and completed outside the cemetery.**

All memorials and materials must be conveyed into the cemetery in such a manner as not to cause damage to roads, walks or turf.

No memorial shall be altered or interfered with after it has been erected in the cemetery according to the design submitted to and approved by the Town Council. Nor shall any work of any kind or description be undertaken or carried

on within the cemetery without the consent of the Town Council first being obtained. (Permit form required).

Memorials must not be made of metal, glass, concrete or synthetic materials and shall not be painted, any vases and bases associated with them must be of best natural quarried material, all dowels shall be of stainless steel, all ground fixings must comply with the current and future National Association of Memorial Masons (NAMM) Regulations (Twin Rod System) and where rafts are installed National Association of Memorial Masons (NAMM) fixings (Twin Rod System) shall also be required.

A maximum of two integral vases within the headstone may be placed at the head end of the grave space.

When memorials are removed all parts of the memorial including the base stone and all other debris are required to be taken from the cemetery by the Monumental Mason undertaking the work until application for a permit to refit is approved. Should all items not be removed to the satisfaction of the Town Council, they will undertake such works as necessary and make any reasonable and justifiable recharge to the Monumental Mason.

The Town Council will undertake an annual safety inspection on all memorials and relatives will be informed if remedial works are required. Any headstones that are deemed dangerous will be laid down to comply with safety legislation.

ALL MEMORIALS REMAIN AT THE SOLE RISK OF THE OWNERS OF THE GRAVES AND THE TOWN COUNCIL SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE OR BREAKAGE WHICH MAY OCCUR TO SAME.

THE TOWN COUNCIL RESERVE THE RIGHT OF PASSAGE OVER ALL GRAVES FOR PURPOSES CONNECTED WITH THE CEMETERY.