

# **Nuthall Parish Council - Cemetery Rules & Regulations**

## **Purchase of burial rights**

- A deed of exclusive rights for a period of 50 years is issued for all new burials. The deed gives the owner the exclusive use of the grave for burials and also gives them the right to erect a memorial on the grave.
- All graves and garden of remembrance plots must be purchased prior to the installation of a permanent memorial. Memorial testing will be carried out on an appropriate rolling programme by trained staff. It is the responsibility of the owner to have the memorial repaired.
- Grave spaces will be allocated on a next available basis commencing with the left section then centre then right.
- All grave spaces are sold as double plots.
- The Council will be responsible for arranging the excavation of the grave and the fees will be passed to the purchaser at cost as part of the interment fee quoted
- It should be noted that kerb sets will only be allowed in areas where they will not pose any access problems for the remaining graves.
- A number of half sized "ashes only" plots will be available for purchase at 50% of the current full grave space price.
- Requests to change grave ownership must be made in writing and will be considered by the Council on an individual basis. A charge may be levied for this service.
- Grave deeds are issued with every purchase and it is the purchaser's responsibility to keep these in a safe place and provide them as proof of ownership when required. The Council reserves the right to refuse burial if the deed cannot be found or where the original owner cannot give express permission for the deceased to be buried in the grave. Persons nominated on the certificate will have an automatic right of burial provided that the grave is not full.
- Please note that the Council will consider a rate variation for burials in the Children's section of the Cemetery on an individual basis. All other charges are as per the current price list in force.

## **Arrangements for a Burial Service**

- Notice of burial is given when all forms and certificates required to fulfill statutory requirements, and those required by the Council, are received at the appropriate Cemetery Office no later than two full working days before the proposed date of the funeral. N.B. Forms approved by the Council must be used.
- For the burial of a stillborn child a Certificate in accordance with the Births & Deaths Registration Act 1953 must be delivered to the appropriate cemetery office.
- The Council will not accept responsibility for any delay or misunderstanding which may occur if instructions are given verbally or by telephone - Neither will the Council accept responsibility for any documents lost or delayed.
- If the Registrar's Certificate for Disposal, or the Coroner's Order, is mislaid or lost, a declaration to the satisfaction of the Superintendent must be made by the person procuring the disposal of the body. The original certificate or duplicate copy issued by the Registrar of Births and Deaths, or the Coroner, must be produced as soon as possible after the signing of the declaration.
- The time fixed for a funeral must be that when the procession is to arrive at the Cemetery, and it is requested that the time be strictly adhered to in order to prevent inconvenience and one funeral interfering with another. In the event of a funeral arriving late the cortege must wait as and where directed by the Council representative, and the service will take place as soon as possible thereafter at the direction of the Council representative.
- In the case of a public or military funeral, or one at which an exceptional number of persons may be expected, notice must be given at the time of booking.
- The Funeral Director or person(s) arranging the funeral is responsible for the provision of sufficient bearers to convey the coffin reverently from the hearse to the graveside.

- Only one funeral will be allowed in the Cemetery at any one time.
- The time allowed for a service in the Cemetery shall not exceed 20 minutes unless prior approval for a longer period has been obtained from the Council representative.
- No coffin shall be opened in the Cemetery for any purpose whatsoever.
- All fees and charges shall be paid to Nuthall Parish Council. The fees and charges for any burial shall be paid at the time of giving notice of booking, and all other fees shall be paid before the work to which they relate is started.
- The fees charged by the Council include everything connected with the specified items in respect of which an official receipt is given. No person employed by or on behalf of the Council is allowed to receive any gratuity.
- No body shall be buried, or cremated remains interred or scattered over any grave or vault in which an Exclusive Right of Burial exists, unless the owner has given express approval in writing or the deceased is the current owner. In the event of the owner being pre-deceased an affidavit must accompany the Notice of Interment and a form of indemnity completed and submitted where a Deed of Grant cannot be provided.
- The Council reserves the right to delay or cancel any interment where, in its opinion, ownership of the Exclusive Right of Burial is disputed.
- The location/position of any non-private graves shall be determined by the Council representative.
- The Council reserves the right to retain any grave space(s) for its own purposes.
- A plan of the cemetery showing the position and number of each grave space is kept in the Council office and is available to view by appointment.

### **Burials**

- Burials shall not normally take place before 9.00 am or after 3.30 pm from Monday to Thursday, or before 9.00 am or after 2.30 pm on Fridays - Burials are not permitted on Saturdays, Sundays or Bank Holidays except by the prior and express permission of the Council.
- The excavation for all graves and vaults shall be carried out by staff employed by or by third parties with the prior agreement of the Council, and no grave or vault shall be excavated beyond such a depth as the Council may determine.
- No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet (915 mm) below the level of the ground adjoining the grave.
- No body shall be buried in a grave unless the coffin is effectively separated from any coffin previously interred in the grave by means of a layer of earth not less than 6" (150 mm) in thickness except in the case of a multiple burial.
- Graves will be sufficiently large to admit coffins/caskets to the dimensions specified by the Funeral Director or the person arranging the funeral on the application form. In the event of a grave having to be enlarged, an additional charge could be levied at the discretion of the Council.
- All coffined burials must take place in coffins of a material and design approved by the Council. Metal caskets, caskets which contain glass, or cardboard coffins are permitted at the discretion of the Council. In principle these types of coffins will be accepted for burial on the proviso that they are used in graves for only one interment or as a last interment in a reopened grave.
- Coffins manufactured abroad may be accepted for interment at the discretion of the Council.
- All coffins and shrouds must be marked with a none perishable plaque, nameplate, or by other means as shall be approved by the Council, showing the name, age and date of death of the deceased. In the case of a stillborn child no age will be recorded. Where two bodies are interred in one coffin then both names shall be marked.
- No coffin or part of a coffin shall be removed from any Cemetery grounds without the prior and express permission of the Council.
- No body shall be removed from a Cemetery for any purpose whatsoever except on the order of a Coroner, Court of Summary Jurisdiction or a Chief Constable.
- No body or cremated remains shall be exhumed without the consent of the Secretary of State for Home Affairs and/or the Faculty of the Bishop of the Diocese.

### **Graves with no headstones or Headstones only (i.e. not kerb sets)**

- Because of the needs for grounds maintenance, unauthorized monuments or mementos are not permitted in the unsown areas at the head of graves.
- The surface of a grave shall not be raised above the level of the immediately adjoining ground.
- When the flowers and wreaths have been removed from a grave following a funeral, nothing else may be placed or planted except in the unsown area at the head of the grave. Any item placed on the actual grave will be removed without notice.
- As soon as practicable after the interment of a body, the Council will sow grass seed or lay turf over the whole area of the grave surface.
- The Council will, at its own expense, maintain the whole of the sown or turfed area of grave surfaces.
- No monument, gravestone, memorial tablet, plaque, kerb, fence, railings, chippings, or the like shall be placed or erected upon or about the sown area of any grave without prior consent of the Council in writing. Any such item placed on grave will be removed without notice.
- All British standard requirements must be adhered to. Only N.A.M.M registered stonemasons will be allowed on the cemetery and reasonable advance notice must be given of work before being carried out.

### **Garden of rest**

- The Council have a garden of rest where ashes can be scattered among the flower beds however permission is required and a fee is payable. A commemorative vase or bronze plaque may be installed with permission from the Council in writing.

### **Book of remembrance**

- Books of remembrance are located in St Patrick's Church. If you would like to add a short inscription for your loved one, please ask for an application form from the Clerk at Nuthall Parish Council.

### **Monuments/Memorials**

- You are free to choose a stonemason who is permitted to work within our cemetery.
- The grave owner has sole responsibility for the safety of the memorial. The Council is not responsible for any repairs or damage caused by storm damage or vandalism and suggests that insurance is purchased. We do not permit ornaments to be placed on the grave.
- Floral tributes and a wooden cross are allowed immediately after the burial. Crosses are a temporary memorial and must be removed when a permanent memorial is erected.

### **Damaged Headstones**

- Whenever a headstone/monument is deemed to be unsafe, every effort will be taken to track the grave owner or relatives. If no contact is made within one month, the council will take appropriate action. This may ultimately involve the removal of the headstone from the cemetery.

### **Kerb Sets**

- The removal of kerb sets on neglected graves shall be at the discretion of the Council. Kerb sets so removed shall not be replaced but may be replaced by vase or headstone where none already exists.

### **Shrines**

- Any unauthorised memorials of any description placed within the Council's cemetery will result in the grave owner being contacted in order that they can remove the unauthorised memorial at their earliest convenience. The Council reserves the right to remove such memorials if the owner does not.

## **Floral Tributes & Wreaths**

### **Dead flowers/Floral displays**

- Dead floral displays will be removed at the discretion of the Council to ensure the appearance of the graveyard is maintained to a high standard.

### **Artificial flowers**

- Artificial flowers that have been affected by the weather/other damage will be removed at the discretion of the Council to ensure the appearance of the graveyard is maintained to a high standard.

### **Other**

- No Glass items, wires or lights are permitted in the Cemetery. The Council will contact grave owners with a request to remove such items deemed inappropriate by the Council. The Council reserves the right to remove any items that may cause a danger/obstruction to staff, equipment or visitors. The Council's decision is final.

## **Cemetery Opening**

### **Vehicle Access**

- Access is permitted for those attending funerals or interment and scattering of ashes. Disabled visitors to the cemetery will be allowed access during normal opening hours, except when a funeral is taking place. Access will then be restricted 30 minutes before and during a funeral. Please telephone for times when access is restricted. The Council reserves the right to restrict access by means of a barrier or partial locking of the gate.

### **Opening times**

- The council's cemeteries are open from 9am each day until dusk.
- All visitors must conduct themselves in a quiet orderly manner at all times. Council representatives have the right to exclude or remove any member of the public at their discretion.

## **Conduct in cemeteries**

Under the provision of the Local Authorities Cemeteries Order 1977 and the Byelaws, it is an offence for a person to wilfully:

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

In addition the following are prohibited:

- Playing at any game or sport in a cemetery.
- Entering or remaining in the cemetery when it is closed to the public, unless authorised by the council to do so.
- No pedal bicycles, skateboards, skates, scooters may be ridden in the cemeteries.
- Smoking in the cemetery is not permitted.
- No animals will be allowed in the cemetery (except for guide dogs or hearing dogs) without prior permission.
- Children under the age of 12 years shall not be permitted to enter the cemetery unless accompanied by an adult.
- No religious services or ceremonies are allowed other than the service at the time of interment.

- No musical instrument or other sound-producing device will be allowed into the cemetery except when used as a integral part of the funeral service.
- Cyclists are asked to dismount whilst in the cemetery.