

# **ELLISFIELD PARISH COUNCIL**

## **BURIAL GROUND RULES AND REGULATIONS**

### **1. Burial Authority**

1. The Burial Authority shall be Ellisfield Parish Council and the Authorised Officer shall be the Clerk to the Parish Council at the time. In the absence of the Clerk, a member of the Parish Council will hold the position of Authorised Officer.

### **2. Rights Reserved by the Burial Authority**

2.1 The Burial Authority reserves to itself the right to pass over and temporarily cover any grave for the purpose of carrying out any work in connection with the interments, disinterment or the maintenance of graves.

2.2 Owners of exclusive rights of burial shall not transfer their rights without prior written consent of the Burial Authority. The consent in writing of the owners of exclusive rights to burial to any interment in a purchased grave or the original grant must be submitted to the Authorised Officer with the Notice of Interment.

2.3 The Burial Authority reserves to itself the right, from time to time, to revise the Rules and Regulations in respect of the Burial Ground.

### **3. Notice of Interment**

3.1 At least two clear days' notice of interment (excluding Saturdays, Sundays and Public Holidays) is to be given to the Authorised Officer on the prescribed form.

3.2 The time of giving notice is from 10 am to 4 pm.

3.3 Any notice received on Saturdays, Sundays and Public Holidays or after 4pm for the purposes of regulation 3.1 above, shall be deemed to be given on the next working day after the date of receipt.

3.4 All interments shall take place on Mondays to Fridays between the hours of 10 am and 4 pm (inclusive) and on Saturdays between the hours of 10 am and 12 noon (inclusive) unless a Coroner or registered medical practitioner certifies (in writing) that an immediate interment is necessary.

3.5 No interments of coffins will be allowed to take place on Saturday afternoons, Sundays or Public Holidays.

3.6 As much information relating to the interment as possible must be given to the Council in advance, especially if it is unusual, e.g. large number of mourners expected, motorbike cavalcade, jazz band, piper etc.

3.7 If it is necessary, at any time to deviate from the provisions of these regulations, written application must be made to the Burial Authority through the Authorised Officer.

### **4 Certificate of Registration of Death**

4.1 The Certificate of the death of the person to be buried or the Coroners order for the burial of a body where an inquest has been held must be produced before the interment takes place. In cases requiring immediate burial, the Authorised Officer is empowered to take such steps as are deemed necessary.

## **5 Selection of a Grave Space**

5.1 The selection of a grave space is, in all cases, in the hands of the Authorised Officer, except in the case of a second burial in a family grave space.

5.2 No grave space may be reserved in advance, except as described in 5.3, (1), (2) and (3).

5.3 The Burial Authority may grant to any person, on receipt of the prescribed fee:

- (1) The exclusive right for a period of 100 years to burial in a grave space.
- (2) The right to one or more burials in any grave space which is not subject to any exclusive right of burial; and
- (3) The exclusive right of burial in the adjoining grave space for a close relative.

5.4 Caskets will be buried in, or cremated remains interred on the areas designated by the Burial Authority or in a grave space subject to the purchase of an 'Exclusive Right'

## **6 Coffins and Grave Digging**

6.1 Coffins for burial must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool, cardboard etc. The council also permits shroud burial. Caskets as supplied by crematoria only shall be used.

6.2 All grave digging is to be organised by the undertaker. Removal and disposal of soil and the replacement of soil after the interment shall be as directed by the Authorised Officer.

6.3 There is no gravedigger in Ellisfield. The funeral director shall be responsible for the provision of equipment and with all current Health and Safety regulations.

6.4 A grave space shall measure at least 2.7 metres by 1.2 metres (nine feet by four feet) for an adult and either 1.6 metres by 0.8 metres (6 feet by 3 feet) or 1.35 metres by 1.2 metres (four feet six inches by four feet) for a child.

6.5 Subject to the condition of the soil, a grave shall be dug for a maximum of two interments.

6.6 No part of a coffin or casket containing cremated remains shall be buried in a grave so as to be less than 0.9 metres (3 feet) below the surface of the ground surrounding the grave space.

6.7 The owner or executor shall be responsible for the removal of all tombstones and memorials on the re-opening of graves and replacement within 18 months. The cost of such removal must be borne by the owner or executor and the Burial Authority shall not be responsible in the event of a tombstone or memorial becoming broken, damaged, lost or destroyed during the work. If a tombstone or memorial is not replaced within the 18 month period, it shall be deemed that the permission granted to erect a tombstone or memorial has lapsed and a fresh application must be submitted.

## **7 Headstones and Memorials**

7.1 The Burial Authority will not permit the erection or placing of any tombstone or memorial on a grave, except for a headstone. This must:

- (1) Be erected at the western end of the grave
- (2) Be erected on a rectangular base, measuring 0.75 metres (two feet six inches) by 0.325 metres (one foot three inches) deep save as here under mentioned.
- (3) Be 0.75 metres (two feet six inches) high from ground level plus the thickness of the base subject to an overall height of 0.9 metres (three feet).
- (4) Whether or not it includes vases, flower containers or other items, no part of it shall project beyond the edges of the base.
- (5) All memorials fixed in the burial ground must comply with British Standard 8415 (latest version) and the BRAMM Blue Book (latest version).

## **7 Headstones and Memorials contd**

7.2 The Burial Authority will not permit the erection or placing of any memorial or any other thing whatsoever in a Remembrance Area except for a memorial tablet. This must:

- (1) Be placed as directed by the Authorised Officer in one of the spaces provided.
- (2) Be a maximum of 300 millimetres (12 inches) by 300 millimetres (12 inches) wide

and laid so as the base is flush with the surrounding tablets at its lowest. It may include a vase or flower container provided it does not project beyond the edge of the memorial tablet.

7.3 Written consent must be obtained from the Burial Authority if planting of any description or removal of any turf from any part of the grave is wanted. No objects of any description will be permitted to be placed on any part of the grave other than the headstone as referred to in 7.1 above. See **8** below re **Enclosure of Graves**.

7.4 All memorials and memorial tablets and inscriptions thereon are subject to the approval of the Burial Authority. The required application form showing the proposed inscription and a drawing of the design and dimensions of the proposed tombstone or memorial to be erected must be submitted to the Authorised Officer. No tombstone or memorial shall be placed within the Burial Ground nor shall any erection be removed from or replaced within the Burial Ground, or work carried out without the written consent of the Authorised Officer.

7.5 It is laid down those expressions fairly recording the faith of the deceased will be admitted providing that the feeling of others is not offended. In case any question shall arise as to the fitness of any inscription proposed, it shall be referred to and determined by the Burial Authority.

7.6 If any damage is caused by the bringing in of any materials or memorials the person causing the damage will be required to make good such damage.

7.7 All tombstones and memorials shall be finished before they are admitted to the Burial Ground and no work of any kind thereon, beyond that of fixing will be allowed in the Burial Ground.

7.8 All memorials are erected at the sole responsibility of the owner and the Burial Authority shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. The memorial remains the responsibility of the grave owner during the period of the grave. The Burial Authority reserves the right to repair or make safe any memorial, which becomes unsafe or falls into disrepair, and to recover any expenses from the registered owner. The Burial Authority will undertake routine safety checks on all memorials, and will notify the grave owner at the last registered address of any necessary works to make the memorial safe. The grave owner will be given a period of six months from the date of the letter to effect the necessary repairs. The Burial Authority reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner does not arrange for the repairs to be made, the Burial Authority may repair or remove the memorial at the owner's expense; either from the person to whose order the tombstone or memorial was placed or within six years, from the placing of the tombstone or memorial, from the representative of such person.

7.9 The Burial Authority may 100 years after burial remove to another place within the Burial Ground or remove from the Burial Ground for preservation or destruction any tombstone or memorial, except where an exclusive right of burial exists.

7.10 The person to whose order the tombstone or memorial was placed is responsible for its maintenance, insurance and for public safety under current Health and Safety legislation. This person will be notified by the Burial Authority should the memorial or tombstone fail their Health and Safety Audit.

## **8 Enclosure of Graves**

Fencing around graves is not permitted nor will any new graves have kerbs or edging.

## **9 Burial Ground open to the Public**

9.1 The Burial Ground is open to the public daily from 9 am until sunset, but the Burial Authority reserve the right to itself to close the Burial Ground to the public at any time before and while a burial is taking place and whilst necessary maintenance work is carried out.

9.2 Children will not be admitted except under the care of a responsible person. It is essential that children are not allowed to play or run between the memorials.

9.3 All visitors should keep to the paths as far as is possible and refrain from damaging shrubs and flowers. The Burial Ground is a tranquil and reverent retreat for the bereaved and all visitors should respect this and behave accordingly. Visitors should not lean on memorials or use them to pull themselves up. They should not enter any area that has been cordoned off, and should obey any signage attached.

9.4 No dogs other than guide dogs will be allowed in the Burial Ground.

## **10 Admission of Vehicles**

10.1 No hearse, carriage or other vehicle shall be admitted to the Burial Ground. They must stop at the Lychgate.

10.2 No vehicles except handcarts will be allowed to enter the Burial Ground, other than those with the express permission of the Burial Authority and these shall not be allowed to remain on the ground longer than is necessary.

## **11.Fees and Other Charges**

11.1 The Burial Authority may charge such fees as it thinks proper.

11.2 The Burial Authority shall maintain a table showing the matters in respect of which fees and other charges are payable to them and the amount of each fee and charge. The table shall be available for inspection by the public at all reasonable times.

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The foregoing Rules and Regulations are made by Ellisfield Parish Council in accordance with the general powers of management as provided for in the Local Authorities Cemeteries Order 1977 and are effective from 1<sup>st</sup> April 2021.