

Hail Weston Parish Council

LAWN CEMETERY REGULATIONS

All inquiries regarding the Cemetery should be made to the Clerk of the Council, Mrs. J. Abell, 5 Orchard Close, Hail Weston, St Neots, PE19 5LF, Tel: 01480 215880, Email: clerk@hailweston.org.uk

1. Introduction

1.1 These regulations are in accordance with Statutory Instrument 1977 No. 204 - Burial, England and Wales - The Local Authorities' Cemeteries Order 1977

1.2 Under this Order (see 'Interpretation'), Hail Weston Parish Council is the Burial Authority for the parish of Hail Weston

1.3 For the purpose of these regulations the following definitions apply:

1.3.1 The Order - refers to Statutory Instrument 1977 No. 204 - Burial, England and Wales - The Local Authorities' Cemeteries Order 1977

1.3.2 Burial Authority – refers to Hail Weston Parish Council

1.3.3 General Powers of Management – refers to the Burial Authority in accordance with at para 3.(1) Subject to the provisions of this order, a burial authority may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery

1.3.4 Council - refers to Hail Weston Parish Council

1.3.5 Purchased grave - In these regulations where the term 'purchased grave' is used it refers to the purchase of burial rights not the purchase of the land where the grave is situated. (See Section 9)

1.4 Hail Weston Cemetery is a designated lawn cemetery, which means that all graves have flat grass surfaces and only headstone type memorials are permitted.

1.5 No flower vases may be placed on or around the grave other than in a receptacle approved by the Council as part of a permanent memorial. Shrub, trees and bushes etc **may not** be planted in the grave and flowers should be placed only within receptacles that form part of the memorial itself. In the Lawn Cemetery, Hail Weston Parish Council aims to provide a dignified setting, free from any fencing or vases around the memorial stones. This will keep the area well maintained for

the benefit of all visitors to the Cemetery. The burial authority has adopted these regulations in order to ensure that the long-term maintenance of the Cemetery can be properly and efficiently undertaken in order to maintain the feelings of serenity and dignity as benefits Cemeteries of this type.

Such rules are now for the long term care of all grave spaces perhaps for long after those who initially were responsible for such care are able to continue that obligation.

2. Opening Hours

2.1 The Cemetery is open to members of the public during the hours of daylight only.

3. Conduct

3.1 Children under the age of 12 shall not be permitted in the Cemetery unless in the charge of a responsible adult.

3.2 All persons must conduct themselves in a decent, quiet and orderly manner and must not:

- (i) Create any disturbance or nuisance.
- (ii) Interfere with any burial.
- (iii) Interfere with any grave, stone or other memorial or floral tribute.
- (iv) Play any game or sport.
- (v) Ride a bicycle other than in the car park or use any other recreational equipment.
- (vi) Enter the cemetery when it is closed to the public.
- (vii) Deposit litter or spent floral tributes other than in the receptacles provided for such purposes.
- (viii) Organise or be part of any gathering, other than for the purpose of interment or remembrance.

This is in accordance with the Local Authorities Cemeteries Order 1977.

3.3 Any person soliciting orders within the cemetery will be removed.

3.4 No dogs are allowed in the cemetery, except assistance and guide dogs.

3.5 Any person found picking or damaging shrubs, trees or flowers in the Cemetery may be prosecuted.

3.6 No person, other than an officer of the Council, or a person so authorized by or on behalf of the Council, shall enter or remain in the Cemetery when it is closed to the public.

4. Times of Interment

4.1 Interments shall take place between the following times:

Mondays to Saturdays – 9.30 am to 4.30 pm

4.2 No interment may take place on a Sunday, Christmas Day or Good Friday, except by the direction of the Medical Officer of Health.

5. Fees

5.1 Various fees and charges are applicable in relation to cemeteries. The Council reviews its fees and charges annually. Anyone intending to use the cemeteries services is advised to obtain an up-to-date copy of the fees and charges which will be supplied on request. They are also available on the Council web site - www.hailweston.org.uk.

5.2 All fees and charges must be paid to the Parish Clerk.

6. Notice of Interment

6.1 Forms of application for interment are available from the Clerk of the Council.

6.2 The form of notification/application of interment, together with all fees, must be delivered to the Parish Clerk not later than four working days prior to the date of interment. Telephone reservations remain provisional unless the appropriate form is returned giving the notice required.

6.3 If no fee is received within 4 working days before the interment, the Clerk will contact the Funeral Director to postpone the interment until payment is received.

6.4 The Council reserve the right to refuse to accept a notice of interment in special circumstances.

6.5 On every opening of a grave in which the Exclusive Right of Burial has been purchased, the Deed of Grant and Certificate of Ownership must be produced to the Parish Clerk when the notice of interment is given.

6.6 In the event of a Notice of Interment being cancelled after work on the preparation of the grave has commenced, the Council reserve the right to retain a part or whole of the interment fee.

7. Disposal Certificates

7.1 A Certificate from the Registrar of Births, Deaths and Marriages of the registration of death, or in cases where a Coroner's Inquest has been held the Coroner's Warrant, must be produced to the Parish Clerk prior to the interment.

7.2 In the case of a still born child a certificate in accordance with the Births and Deaths Registration Acts 1926 will be required.

7.3 A representative of the Burial Authority will be in attendance at all interments at the Cemetery.

8. Graves & Ashes Plots

8.1 The preparation of graves and all necessary excavations are the responsibility of Hail Weston Parish Council, and all graves must be left tidy and safe after interment.

8.2 Graves are to be spaced 1372 mm (4 feet 6 inches) from the centre of one grave to the centre of the next.

Ashes plots in the Garden of Remembrance are to be spaced 915 mm (3 feet) from the centre of one ashes plot to the centre of the next. There will be a distance of 915 mm (3 feet) centre to centre between rows.

8.3 There is to be a space of 760 mm (2 feet 6 inches) between rows, from the headstone of one grave to the foot of the next grave. The overall length of a grave plot is 3050 mm (10 feet), which includes the walk way between the plots.

8.4 All graves are to be dug a minimum of 1372 mm (4 feet 6 inches) deep. At least 915 mm (3 feet) of earth must cover the top of the coffin.

8.5 Double depth graves are available.

8.6 Interment, with the exception of pre purchased burial rights, must take place consecutively.

8.7 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. No interment shall be allowed in an earthen grave unless the body is in a coffin. Coffins may be made of wood or other perishable materials. Vaulted graves are not permitted.

8.8 Funeral Directors shall at all times provide sufficient bearers for the carrying and lowering of the coffin into the grave.

8.9 Funeral Directors must carry appropriate insurance, have in place a health and safety policy and comply with other statutory requirements. They must ensure that any contractors employed by them also comply with this requirement.

8.10 The Funeral Director, or other person having charge of the funeral, shall arrange previously with a Minister to conduct the religious service.

9. Exclusive Right of Burial

9.1 The Council has the authority to grant the Exclusive Right of Burial in any grave space. The Grant of Exclusive Right of burial for a grave space or for an ashes interment in a cremation plot will be for a term of seventy five years from the date of purchase. Hail Weston Parish Council retains ownership of the land at all times.

9.2 Exclusive Right of Burial to a grave gives the purchaser the 'right' to say who can be buried in the grave. Burial 'rights' also include the right to erect a memorial.

9.3 The granting of burial rights to a grave does not mean ownership of the land itself. It merely grants exclusive burial rights, during the period stated on the grave deed, to say who can be buried in the grave, (i.e. it is effectively a lease that is being purchased within the conditions contained in these rules). A memorial can be erected and remain on the grave for the period of the lease. (See Para 11.26)

9.4 The Deed of Grant of Exclusive Right of Burial must be produced and shown to the Clerk of the Council when the Notice of Interment is produced, before the grave is opened.

9.5 Return of plots already purchased:.. The Parish Council will only accept the return of plots already purchased provided the Exclusive Rights of Burial is returned to the Clerk. A refund equating to the purchase price of the plot at the time of purchase will be given.

9.6 The exclusive right may be assigned by deed or bequeathed by will to a relative or nominated person. If the right has not been assigned, it is conferred on a relative as interpreted in the Local Authorities' Cemeteries Order 1977.

9.7 The Council will keep records of any rights granted, together with any assignment or bequest of those rights. These must be notified to the Council as soon as possible after an assignment or bequest is made.

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9.8 Funeral Directors, Monumental Masons or any member of their staff will not be permitted to acquire the Exclusive Right of Burial in any grave space, except to bury a member of their family.

9.9 At the time of purchase, the purchaser or the deceased must be a resident or former resident of Hail Weston.

9.10 The maximum number of owners of a Burial Right is four.

10. Vehicles

10.1 The Council reserve the right to seek compensation for any damage done by vehicles to graves/memorial or the cemetery (e.g. damage to turf).

11. Memorial and Grave Regulations (includes ashes plots)

11.1 Unless specified these rules apply to graves and ashes plots.

11.2 As this is a Lawned Cemetery the grave surface is to be flat. The grave plot will be grass seeded by the Council as soon as possible after interment. **Kerbs and vases are not allowed. Receptacles for flowers may be incorporated in the headstone/plaque.** A receptacle inset incorporated into plaque but must be a minimum 5cm (2") from the plaque edge.

11.3 No shrubs or other plants are to be planted on the grave.

11.4 No flower pots or other containers may be placed directly on the grave surface. This is to allow free access for mowing and to reduce any danger from loose objects.

11.4 Memorials are only permitted on graves for which the exclusive Right of Burial has been acquired and on the application of the deed-holder. A memorial may not be erected on a grave prior to the first interment.

11.5 Extra fees shall be chargeable for erection of headstones and plaques or when an application is made to make changes.

11.6 Headstones may be erected 9 months only after interment. A fee will be charged for the erection of a headstone, an added inscription or other change and for a plaque on cremated remains.

The brass plaque/cross that is placed on the grave by Funeral Directors is considered to be a temporary memorial and will be removed by the stonemason when a permanent memorial is in place'.

11.7 All headstones, plaques, inscriptions and any changes to same must be approved by the Clerk of the Council.

11.8 Headstones should be no larger than 915 mm (3 feet) high, including any base, by 610 mm (2 feet) wide by 100 mm (4 inches) thick. They must be erected in line with existing headstones and fixed to a plinth. The cemetery slab stones are not to be used as a foundation for headstones.

11.9 Double headstones are permitted for adjacent grave plots. The double headstone must be installed in its final position and be centred between both grave spaces. The maximum dimensions are: Centre section 915 mm (3 feet) high by 610 mm (2 feet) wide by 100 mm (4 inches) thick. There can be two wing sections (each) 380 mm (15 inches) high by 380 mm (15 inches) wide by 100 mm (4 inches) thick. The base to be 1525 mm (5 feet) long by 305 mm (1 foot) wide.

11.10 Plaques should be no larger 460 mm (18 inches) square. They are to be laid on the designated plot in the area set aside for urn burials and the top surface of the plaque is to be sunken into the ground so that it is level with the surface of the grass and be in line with existing plaques.

11.11 Double plaques are permitted for adjacent ashes interment plots. The double plaque must be installed in its final position and be centred between both plots. The maximum dimensions are 1070 mm (3 feet 6 inches) wide by 460 mm (18 inches) deep.

11.12 Nothing may be placed around a plaque, e.g. stones or plants.

11.13 No items may be placed on the plinth of a headstone other than a maximum of two flower pots or one plant trough. The pots and troughs must be of an unbreakable material and terracotta or black in colour, the maximum size for the pots is 250 mm (10 inches) in diameter and 300 mm (12 inches) in height and for the troughs 440 mm (17 inches) by 160 mm (6 inches) and 160 mm (6 inches) high.

11.14 Any flower pot or trough must be kept in good order and dead plants removed. Failure to do so could result in the container being removed by the Council.

11.15 No items other than flowers may placed on plaques in the ashes plots area.

11.16 Flowers, wreaths and mourning cards may be placed on the graves, but must be removed when they have decayed (maximum 6 weeks) or the Council will remove them.

11.17 Flowers may be placed directly on graves/plaques at any time provided they are removed once they have decayed (maximum 4 weeks) or the Council will remove them.

11.18 Appropriate wreaths may be placed on a grave or plaque at Christmas or Remembrance Day provided they are removed once they have decayed (maximum 4 weeks) or the Council will remove them.

11.19 Anything added to a memorial, plaque or grave not allowed under these regulations can be removed without notice by the Council. Items will be retained in safe storage for twelve months before being disposed.

11.20 The Council has the authority to remove any headstone/plaque which, in its opinion, should be removed to facilitate the opening of an adjoining grave. It will be replaced at the earliest opportunity.

11.21 No headstone/plaque may be removed from the Cemetery by any person other than the Council, unless the consent in writing has been received by the Clerk of the Council from the owner of that headstone/plaque.

11.22 Headstones/plaques must be kept in good repair and safe by the owners, or their representatives, and the Council reserve the right to remove any which are not so kept or to repair and invoice the owner.

11.23 The Council cannot accept responsibility for the safe keeping or care of headstones/plaques, or for any damage done to any memorial, plaque, grave etc.

11.24 Stonemasons, or other persons engaged in erecting a memorial, must perform the work in accordance with these regulations. All stonemasons must be registered with the Parish Council. Headstones/plaques must be prepared ready for fixing before being taken into the Cemetery. All tools must be removed afterwards. The work is carried out at the sole risk and liability of the person executing it and any damage caused shall be made good to the satisfaction of the Council.

11.25 All registered Stonemasons must work to NAMM Code of Working Practice for Memorials in Burial Grounds and Other Commemorative Sites (March 2010) in order to comply with British Standard 8415.

11.26 Exclusive Rights to Erect and Maintain a Memorial will be issued for five year periods. At the end of the five years, the memorial owner will be contacted to ensure that they are still the rightful owner. Further Rights will then be issued by the Council at no extra charge. This will ensure that the Council's records of memorial owners are up to date.

11.27 Commemorative benches or any other item are not permitted by the Council due to the present number of benches in the cemetery.

11.28 If consideration is being given to amend a grave plot, memorial or plaque in any way please consult the Clerk who will advise whether the change is likely to be permitted.

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12. Changes or variation to these regulations

12.1 The above regulations may be altered, added to or amended as decided by the Council.

12.2 When circumstances render it desirable to deviate from any of these Regulations a special application must be made to the Parish Clerk.

The regulations were adopted by Hail Weston Parish Council (HWPC) on 17th March 2014.

Revised by HWPC on 16/6/15 to reflect changes to 8. Graves and Ashes Plots.

Reviewed 17th May 2016 - change to email address.

Reviewed 10/4/19 – Change email Address

Mrs J. Abell
Clerk of the Council