



Fair Oak and Horton Heath Parish Council
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REGULATIONS IN RESPECT OF INTERMENTS AND ERECTIONS OF MEMORIALS IN FAIR OAK CEMETERY

These regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate laws or statutes currently in force.

The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

Interpretation of terms:

“The Cemetery” means the Cemetery maintained by the Parish Council known as the “Fair Oak Cemetery”.

“The Parish Clerk” means the person for the time being holding office by that designation under the Parish Council, hereinafter known as the Clerk with respect to the Cemetery, and the person who shall be acting for her at the Cemetery in her absence

“Grave” means a burial place formed in the ground by excavation and without any internal wall of brickwork or stonework or any other artificial lining. All graves shall bear a number according to the cemetery plan.

“Cremation Plot” means a place formed in the ground by excavation for the purpose of interring ashes or their containers. Such a place to measure not more than 60 cm x 60 cm. All plots shall bear a number according to the cemetery plan.

“Purchased Grave or Cremation Plot” means a grave or cremation plot wherein the Exclusive Right of Burial (subject to these regulations) has been granted by the Parish Council. This means when you purchase a grave or cremation plot you are effectively purchasing a 30-year lease, which gives you the exclusive right of burial for this period and allows you to apply for the right to erect a memorial.

“Resident” means a person who resides in a dwelling within Fair Oak and Horton Heath Parish boundary.

1 Private Work No private work shall be undertaken by visitors to the Cemetery other than general grave or plot tidying. No employee of the Parish Council is to be engaged to execute any private work in the Cemetery.

2 Exclusion or Removal or Persons from the Cemetery The Parish Council may at any time, remove and exclude any person from the Cemetery, who shall be guilty of any breach of the regulations being in force at that time.

3 Production of Grant or Deed required before re-opening No grave in which the Exclusive Right of Burial has been purchased can be re-opened without the production of the written consent of the owner or their personal representative, and the Grant.

4 Times of Notice of Interment Notice of interment shall be given at the Clerk’s office at least two clear working days in advance of the day of interment, excluding weekends, Good Fridays, Christmas Day or Bank holidays. This regulation shall not apply upon production of a medical certificate stating that an early interment is necessary or when exceptional religious reasons exist.

5 Fees and Charges for Interments The fees and charges payable to the Parish Council in respect of interments in the Cemetery, or grave and plot spaces, or memorials or otherwise in connection with the Cemetery, shall be those detailed in the Table of Fees and Charges, which will be subject to review annually on the 1st April or at any other time at the discretion of the Council. The Table of Fees and Charges applies to all inhabitants of the Parish or those persons residing outside the Parish at the time of death, in sheltered, care or nursing homes and hospitals, if within 24 months prior to their removal thereto. Double fees and charges are payable by all other persons. All fees and charges shall be paid in advance to the Clerk.

6 Selecting Grave Plots Pre-purchase of graves or plots is not permitted. Graves and plots will be allocated in sequence unless exceptional circumstances apply when the decision of the Clerk on behalf of the Parish Council shall be final.

7 Grantee of Right of Burial If a personal representative from outside the Parish applies to bury a resident of the Parish the fee payable would be the same as an application from a local representative.

8 Arrival of Funerals at the Cemetery The time of any proposed interment shall first be arranged by the Funeral Director and the Clerk at the Parish Office. The time agreed shall be that at which the funeral is to be at the Cemetery. All interments shall take place on Mondays to Fridays between the hours of 0900 and 1530 and on Saturdays between the hours of 0900 and 1130 (The exception as in rule 4 to apply).

9 Graves sold subject to Regulations All graves and cremation plots will be sold subject to the regulations currently relating to the Cemetery.

10 Exclusive Right of Burial The Exclusive Right of Burial in any grave or cremation plot shall be entered in the Register of Grants of Right kept by the Clerk. After the interment of the owner of the grave or plot, the personal representative shall produce to the Clerk the Grant of Probate or Letters of Administration so that proof of change in ownership may be duly registered. Until satisfactory proof of ownership is given, the grave or plot cannot be opened or interfered with and no memorial or tablet or other article may be installed or work carried out on the existing memorial, including additional inscriptions. The Exclusive Right shall last for a period of 30 years at the expiry of which time it shall either be renewed for a further 10 year period, at the appropriate fee or ownership shall revert to the Parish Council. The owner will be responsible for contacting the Parish Council to renew the grant.

11 Digging of Graves and Cremation Plots All graves and plots shall be dug and reinstated under arrangements made by the undertakers. Surplus spoil is to be removed from the Cemetery by the grave digger and no spoil is to be deposited on an adjacent grave or plot any time. Graves are to be re-turfed at the conclusion of the interment.

12 (a) Interment in Graves In all graves there shall be at least 90 cm of earth between the surface of the ground and the top of the last coffin, and no coffin shall be buried in a grave in which an interment has already taken place unless the coffin containing the body is effectually separated from any coffin already placed and remaining in the grave by a layer of earth not less than 15 cm in thickness, and no human remains interred therein shall be disturbed nor shall any soil which is offensive be removed. The minimum depths for plots are to be 1.5 m for single depth and 2 m for double depth. Coffins shall be made of suitable biodegradable materials and no metal or other non-biodegradable coffins, caskets or containers will be allowed.

12(b) Interment of Ashes In all cremation plots there shall be 30 cm of earth between the surface of the ground and the ashes or top of the container.

13 Certificate of Disposal A legal certificate or the Registry of Death, or in the case of an inquest, the Coroner's order, must be delivered to the Clerk before the burial takes place. A certificate or cremation must be delivered to the Clerk in the case of cremated human remains.

14 Death from Infectious diseases In all cases of death from infectious diseases the body shall be taken direct from the hearse to the grave.

15 Coffins of Still Born Children No body will be received unless decently covered and placed in a coffin with the name of the deceased or that of its parents, indelibly affixed.

16 Admission of Dogs The admission of dogs, unless on a lead, is prohibited. Dogs must not be allowed to foul within the Cemetery.

17 State of Repair Every grave and memorial must be kept in good repair by the owner. On default by the said owner notice in writing has been sent to the registered owner at his registered address, the Council reserves the right to take over the maintenance of the grave or plot and have it and any memorial on it put in good and safe order at the expense of the grave owner. If payment for work is not forthcoming, the debt will be attached to the grave or plot and no further burials or works will be allowed until the debt is cleared. Memorial maintenance work shall only be undertaken by suitably qualified masons and to the satisfaction of the Parish Council.

18 Graves Enclosures The purchaser of any grave or cremation plot shall, when erecting any memorial, place such memorial in the position determined by the Parish Council. No form of grave enclosure is allowed and this includes railings, chains, wooden edging of any description, **earth edging** and glass wreath cases. The Council reserves the right to remove any such unauthorised items and hold them for collection by the owner within 14 days of notification or disposed of if the owner does not collect them within the state time.

19 Interment of more than one body in the same grave at the same time Only the body of one adult, or the bodies of two children each under the age of twelve years, shall be buried in any grave at the same time, unless the bodies be those of members of the same family. In addition a maximum of 4 ashes are permitted in one burial plot. Up to 4 ashes are permitted in one cremation plot

20 Trees, Shrubs, Plants and Flowers Dwarf trees, shrubs, plants and flowers may not be planted upon graves and cremation plots. The Parish Council reserves the right to remove, prune and cut down any trees, shrubs, plants or flowers, previously planted which in its opinion have become unsightly, overgrown or dangerous. Persons tending graves or plots shall be required to dispose of any rubbish removed from the grave or plot in the bins provided for that purpose. The planting of young trees in memory of a deceased is no longer allowed.

If any tree, plant or shrub should be planted in any other part of the Cemetery without the prior permission of the Parish Council, the Council reserves the right to remove it. To assist in maintaining the Cemetery in a neat and tidy condition, the Parish Council will cause all neglected mounds to be levelled.

21 Personal Effects The Cemetery is an area for quiet reflection for many persons and unusual adornments such as balloon, plastic attractions or personal effects, placed upon the grave or plot of a deceased may cause upset or offence. Consequently, such items are to be discouraged and the Parish Council reserves the right to remove any items which in its opinion may cause offence in any way. Similarly, lighted candles, including those within a glazed container, and any breakable items, particularly glass items, are not allowed because of the possible fire risk and attendant safety dangers to grounds maintenance staff, others visiting the Cemetery, and to animals. Such items removed by the Parish Council will be placed near the garage for collection by the owner within 14 days of notification or be disposed of if the owner does not collect them within the stated time.

22 Register Applications to search the Register of Burials should be made to the Clerk.

23 Seats Families may apply to the Clerk for the erection of a seat in memory of a deceased. The design and location shall be determined by the Clerk on behalf of the Parish Council and all purchase, design and maintenance costs, shall be met by the family. Once installed, ownership of the seat shall pass to the Parish Council.

24 Removal of Memorials The Parish Council reserves the right to re-fix, realign or remove any memorial as may be required. Any such work shall only be carried out by an approved stonemason. Broken cement beds for chippings shall be removed and the grave turfed over. Where the owner of the Rights of Burial cannot be traced at the time of carrying out the work, the cost shall be borne by the Parish Council and attached to the grave or plot and no further burials or works shall be allowed until the debt is cleared.

25 Work to be executed to the satisfaction of the Parish Council All work in the Cemetery shall be executed to the complete satisfaction of the Parish Council.

26 Regulations for the Erection of Memorials Memorials can only be erected upon issue of the necessary permit from the Parish Council and with the written consent of the owner of the Grant of Exclusive Rights of Burial for the grave or plot concerned. Regulations for the erection of memorials are at Annex A and shall be complied with by all memorial masons executing work on memorials.

27 Clauses In cases where any question or controversy arises from the foregoing clauses, or anything omitted there from, the decision of the Burial Authority shall be final and binding.

By Order of Fair Oak and Horton Heath Parish Council
16 January 2017

REGULATIONS FOR THE ERECTION OF MEMORIALS AND FOR WORK TO BE CARRIED OUT ON AN EXISTING MEMORIAL IN FAIR OAK CEMETERY

- 1 Memorials may only be erected upon issue of the necessary permit from the Parish Council and with the written consent of the owner of the Grant of exclusive Rights of Burial for the grave or plot concerned. Any work carried out on an existing memorial will also require a Parish Council permit and the written consent of the owner of the Grant of Exclusive rights of burial for the grave or plot concerned.

The Parish Council must be notified of the date prior to the erection of the memorial.

- 2 If no memorial is erected on the grave or cremation plot, one flower vase will be allowed above ground level in the normal headstone position. No vases, flower holders or other items are permitted elsewhere in the grave space; any item so placed will be removed.
- 3 All new memorials and memorial maintenance work shall only be undertaken by suitably qualified masons and to the satisfaction of the Parish Council.
- 4 All memorials shall be erected and remain the sole risk of the owner. A sketch of each proposed memorial giving full details and dimensions, together with the owner's consent, is to be submitted to the Parish Council on the application form supplied by the Clerk. No memorial may be erected in the Cemetery without the written consent of the Clerk. No memorial shall be removed or altered without the written consent of the owner and the Clerk except as otherwise provided (for example on health and safety reasons).
- 5 All memorials are to be of natural or reconstituted stone and no Bath, Caen, or other soft stone shall be allowed in the construction of any memorial. All monumental work shall be finished prior to the erection of any memorial, excepting the execution of a second inscription for which permission must be obtained. Wooden crosses may be installed temporarily pending erection of a stone memorial on a grave.

The maximum outside measurements, above ground level, for memorials erected within the Fair Oak Cemetery are shown below:

The width dimension is from side to side and not back to front of the memorial

	Height (mm)	Width (mm) Side to side	Length (mm) Front to Back
Adult Grave	1 metre	760 mm	600 mm
Cremation Circle	600 mm	460 mm	460 mm
Cremation Line	600 mm	585 mm	585 mm
Child's grave	600 mm	600 mm	500 mm

- 6 Second bases shall be securely fastened to the bottom by dowels or other approved methods and be within the permitted measurement if above ground level.
- 7 Memorial masons and others, prior to fixing memorials, must furnish themselves with all the tools and necessary appliances.
- 8 Memorial masons and others employed on any kind of work in connection with memorials in the Cemetery are to remove all spare soil and leave the ground clean after completing their work and each grave is to be re-turfed to an acceptable standard. Memorial masons will be held responsible for any damage caused by them either on the ground or the memorials erected thereon.
- 9 All memorials to be laid firm, level and square. The Parish Council reserves the right to reject applications for memorials with stones of uneven thickness.
- 10 The top surface of every foundation stone shall be at least 5 cms below the level of the highest point of the surrounding turf.
- 11 All vehicles conveying memorials to the Cemetery shall after unloading draw into the lay-by or parking spaces.

- 12 All work on memorials shall be completed during the hours of 0800 and 1700 on weekdays excepting Saturdays when work must cease at 1200 noon. No work shall be undertaken during an interment or on Public Holidays.
- 13 The erection of memorials will not be allowed during unsuitable weather or whilst the ground is in an unfit state.
- 14 No rails, wooden edging, chains of any description or glass wreath case will be allowed as part of any memorial.
- 15 No advertising boards, tablets or cards shall be placed on or around any monumental erection nor shall any form of advertisement be displayed in any part of the cemetery
- 16 Any memorial temporarily removed when a grave is opened for an interment shall be replaced and fixed within six months from the date of the re-opening of the grave.
- 17 The memorial mason shall mark the reverse of the memorial in the lower right corner with the plot number in letters no higher than 5 cm. The memorial mason may also inscribe the name of the company on the reverse of the memorial in the lower left corner in letters no higher than 2 cm.
- 18 **All memorials shall be fixed according to BS8415 and the relevant Codes of Practice or Guidance that are fully compliant with this standard. All memorial masons undertaking work in the Cemetery shall be suitably qualified and licensed through BRAMM or the RQMF.**

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16 January 2017