

DRAFT – NOT YET APPROVED

KINGS WORTHY PARISH COUNCIL

BURIAL GROUND REGULATIONS

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

1. General Regulations

- a) The Burial Ground is open daily to the public between the hours of 7.00am until 30 minutes after sunset (no later than 9.00pm). Children under 16 years of age are not permitted to enter the Burial Ground unless supervised by an adult. All visitors must observe perfect decorum at all times.
- b) Dogs are permitted in the Burial Ground and must remain on lead at all times. The Parish Council reserve the right to revoke this permission at any time.
- c) All grave spaces will be allocated by the Registrar acting for the Parish Council.

2. Right of Interment

- a) Parishioners whose names appear or are eligible to appear in the Register of Electors for Kings Worthy, and any children residing in the parish, may be interred in the Burial Ground at Lovedon Lane on payment of the appropriate fee as set out in the Scale of Charges.

Parishioners who had moved from the village to long term care would remain eligible. Former Parishioners who had been a resident in the Parish until up to 5 years prior to their death would also be eligible.

- b) At the discretion of the Parish Council, these services may be extended to non-parishioners but proof of the strong local connection will need to be provided.
- c) The Parish Council do not sell the land on which the plot is located, nor provide exclusive rights of burial.
- d) The hours of interments in the Burial Ground will be from 9am to 5pm. As a general rule, ~~Interments will be allowed on Saturdays, Sundays and Public Holidays.~~ interments are permitted on weekdays only. However, interments in cremation plots may take place on a weekend by prior agreement. No interments shall take place on a bank holiday.
- e) Not more than one interment will be allowed to take place at any one time.
- f) The interment of ashes will only be permitted into cremation plots. The interment of ashes into a burial plot may be permitted at the discretion of the Parish Council.

3. Notice of Interment

- a) At least **three** working days' notice of every intended interment must be **sent/handed** to the Parish **Office** on a form prescribed by the Parish Council.
- b) On receipt of a Notice of Interment the Parish Council shall confirm the details **in writing**.

4. Certificates

A Disposal Certificate of the Registrar **of Births and Deaths** or, where appropriate, of the Coroner, must be **sent/handed** to the Parish **Office prior to the interment and if required, also** to the Officiating Minister at the Burial Ground before an interment takes place.

In the case of a stillborn child, the appropriate certificate under the Births and Deaths Registration Act 1953 must be produced.

5. Digging and Reinstatement of graves

- a) **All graves will be dug and mounded to the reasonable satisfaction of the Parish Council.**
- b) **The Funeral Director will remain solely responsible for the digging of the grave including all associated risks and safety requirements. This includes any requirements under legislation/regulation including the correct sizing, depths and spacing between graves is observed.**
- c) **A body shall not be interred in a grave in such a manner that any part of the coffin is at a depth of less than 3 feet below the level of the surface of the ground of the grave space, nor shall the cremated remains of a body be interred in a grave in such a manner that any part of the casket is at a depth of less than 1 foot below the level of the ground of the grave space.**

The minimum depth for a grave shall be 4'6" for one interment, 6'6" for two interments.

- d) **Not more than 2 interments shall take place in one grave space. An additional interment of ashes maybe permitted at the discretion of the Parish Council.**
- e) **Mechanical diggers may be used but preventative action must be taken to prevent damage to the surrounding pathways or surface. Any damage cause must be rectified at the contractor/funeral director's expense.**
- f) **The funeral director is responsible for ensuring a check is undertaken shortly before interment to ensure the grave remains stable.**
- g) **Turf is to be lifted carefully and stacked. Spoil removed from the grave space will be stored safely and, in a manner, so as to avoid damage to the surrounding surfacing or footpaths. Once the grave is backfilled, any excess spoil must be removed and**

disposed of off-site, in accordance with any relevant local or national regulations or legislation.

- h) A layer of at least 100mm of soil (not chalk) must be left on the grave and the turf replaced. If additional soil is required, this must be certified to BS3882:2015 (multi-purpose grade).
- i) A mound of no more than 15cm may be left on the grave.
- j) A temporary plot marker, or design approved in advance by the Parish Council, shall be installed on the plot immediately after reinstatement of the grave. This must include the name of the deceased. This requirement also applies to cremation plots but markers should be of a smaller size.
- k) Whenever an interment has taken place the surface of the grave will be re-seeded, or covered with turf, by the Parish Council as soon as reasonably possible after natural subsidence of the earth has taken place (normally within 24 months).

No mounds will be allowed to remain on any grave. After levelling has taken place no vases, containers or any other memorial will be permitted in anything other than the normal headstone position.

6. Coffins

No person will be allowed to be buried unless in a properly constructed coffin. Coffins shall be made of suitable biodegradable materials and no metal or other non-biodegradable coffins, caskets or containers will be allowed. American style caskets are not permitted.

Ashes may be interred in a casket, or container designed and intended for the underground interment of ashes. This must be made of suitable biodegradable materials.

7. Hours of Interment

The hours of interments in the Burial Ground will be from 9am to 5pm. Interments will be allowed on Saturdays, Sundays and Public Holidays.

Not more than one funeral will be allowed to take place at one time.

8. Covering of Graves

Whenever an interment has taken place the surface of the grave will be covered with turf by the Parish Council as soon as reasonably possible after natural subsidence of the earth has taken place (normally within 24 months). No mounds will be allowed on any grave. After levelling has taken place no vases, containers or any other memorial will be permitted in anything other than the normal headstone position.

9. Re-Opening of Graves

- a) A body shall not be interred in a grave in which an interment has already taken place unless the coffin containing that body is effectively separated from any other coffin previously placed and remaining in the ground, by means of a layer of earth not less than 6" in depth
- b) Where any grave in which an interment has already taken place is re-opened for the purpose of making a second interment, there shall be no disturbance of human remains already interred therein.
- c) If at the time the grave is dug, there is found to be insufficient depth the interment is not permitted to take place. In such cases a fresh grave will be allocated where available.
- d) Once backfilled, the same reinstatement requirements for a new plot apply (see above).

10. Exhumations

An exhumation cannot take place without the necessary legal authorisation and required exhumation licence. A copy of said licence must be provided to the Parish Council before permission to allow an exhumation may be granted.

11. Reservation of grave and cremation plots

The reservation of burial or cremation plots is not permitted with the exception of an adjacent plot being purchased to allow a side by side interment, as an alternative to a standard double burial. The Parish Council reserves the right to permit this at its discretion.

12. Flowers

- a) To permit a well maintained area no flowers or shrubs shall be planted on any grave space. Wreaths can remain on a grave for up to 2 weeks, after which they may be removed on the authorisation of the Clerk.
- b) After levelling has taken place vases, containers or any other memorial will only be permitted on any grave space if mounted on, or integral to, the vase base of the headstone. If no headstone incorporating a vase is erected, one flower base will be allowed above ground level in the normal headstone position.
- c) The Parish Council reserves the right to remove flowers or flower containers which are unsuitable (including but not limited to glass, china, plastic, earthenware) or which are incorrectly positioned as described above.
- d) The Parish Council **accepts** no responsibility for the removal of, or damage to flowers or vases, **by any third party**.

- e) If damage is as a result of work undertaken by the Council's contractors, this remains the responsibility of the contractor and the Parish Council will liaise to ensure the damage is appropriately repaired.

13. Purchased Graves

The pre-purchase of graves before the first interment in that space will not normally be permitted but the Parish Council will consider specific requests on a case by case basis, for example if the interment is delayed until the second interment takes place, or a side by side plot is requested.

14. Erection of Headstones, Crosses and Plaques

- a) One memorial only, in the form of a headstone, a stone vase, a cross of stone or durable hardwood, may be placed at the head of any grave. Where a flower vase is an integral part of the headstone this will be permitted, but no additional memorials or flower containers will be allowed on any grave space or cremation plot.

The installer will remain solely responsible for the installation of the memorial including all associated risks and safety requirements. This includes responsibility for the correct production and installation.

The consent of the Parish Council, acting through the Registrar, shall be obtained before any memorial is erected or any inscription is placed on a proposed or existing memorial. Such consent will only be given if the proposed memorial complies with the requirements of this regulation.

The Parish Council will not be responsible for the cost of removal of any memorial which is unauthorised or incorrectly fixed. Payment of the appropriate fees as set out in the Scale of Charges must be made in advance.

- b) The applicant or family is solely responsible for the care of the memorial. No liability can be accepted by the Parish Council for damage unless caused by its employees.
- c) Memorials must not exceed 3 feet in height, measured from ground level, nor shall it be more than 2 feet wide; it shall have a thickness of not less than 3" or more than 6", except in the case of slate, which may be thinner, but not less than 1.5" in thickness.

At the Council's discretion, an exception maybe made in the case of a proposed erection of a stone cross, which may vary in thickness while conforming to overall dimensions as stated; a detailed application to be made to the Registrar. No vase base shall be more than 26" wide. Consideration will be given in the case of graves for children under the age of 5 to vary the size on grounds of proportionality on a case by case basis.

A wooden cross is acceptable provided it is constructed of a durable hardwood of a minimum thickness of 3" and a maximum of 4". It should not exceed the height and width shown above.

Every memorial shall be fixed firmly in the ground on an approved foundation which shall be wholly below ground level. Details of the foundation and fixing shall be provided **to the Parish Council** at the time of seeking consent.

The headstone shall be located on virgin ground at the head of the plot. Any disturbance of the headstone due to the settlement of the ground remains the responsibility of the stonemason.

- d) No memorial shall be constructed of bricks and plaster, bath, other soft stone, cane, zinc, iron or any other metal or synthetic material, or wood other than teak or oak. Memorial in granite may have a polished finish to the face and surface of any vase-base.
- e) No memorial shall be removed from the Burial Ground except with the consent of Parish Council, acting through the Registrar.
- f) The Parish Council can accept no responsibility for damage to memorials unless caused by a person employed **or contracted** by the Parish Council.
- g) Gravel must not be placed around the memorial.
- h) A plaque or memorial in the cremation area shall not exceed 15" x 15", but not less than 2" in thickness overall, and the regulations concerning material and inscriptions shall apply as above.

15. Headstones and Wooden Crosses

If a wooden/stone cross or headstone deteriorates and/or becomes unsafe the Parish Council will attempt to contact the family at the last known address and by placing a notice on the cross. If, after a period of 12 months or it is deemed to be unsafe, the Parish Council reserves the right to remove it.

16. Conveyance and Removal of Materials etc. **for the installation of memorials**

- a) All boards, tools and other material or plant required in the erection of memorials shall, in the Burial Ground, be conveyed by hand, on carts or trucks, the wheels of which must have a width of not less than 4".
- b) At no expense to the Parish Council all such equipment, materials and any surplus soil shall be removed from the Burial Ground immediately on completion of the erection of a memorial and, while the work remains unfinished, at the end of each day.
- c) Care must be taken to avoid cutting up or damaging the roads, paths or grassed areas in the Burial Ground. All work in connection with memorials and any

necessary reinstatement arising therefrom shall be done to the satisfaction of, and at no cost to, the Parish Council.

17. Removal of Rubbish and Surplus Materials

- a) Every person engaged in any work or labour in or upon any grave or memorial in the Burial Ground shall, immediately upon completion thereof, clear up and remove from the Burial Ground any rubbish or surplus materials remaining after completion. This should be disposed of off-site, in accordance with any relevant local or national regulations or legislation.
- b) If any person, after receiving one day's notice from the Parish Council, neglects or fails to comply with this requirement, the rubbish or surplus materials shall remain the responsibility of said person, and may be removed by the Parish Council. Any person who so neglects or fails shall, on demand, pay the Parish Council the cost incurred of the removal.

18. Touting

No person shall, within the Burial Ground, tout for or solicit orders, exhibit designs or distribute business cards.

19. No Gratuities

No person employed by the Parish Council is permitted to undertake grave maintenance work independently of the Parish Council or to receive gratuities of any kind.

20. Memorial Plantings & Seats

- a) The Parish Council reserves the right to remove any damaged benches and/or diseased trees or plants donated as a memorial.
- b) Due to the limited space available, any requests for additional memorial planting or seats will be considered on a case by case basis and the Council's decision will be final.

21. Vehicles

- a) Vehicles belonging to contractors, funeral directors and mourners attending an interment shall be permitted to access the Burial Ground on the condition that they remain on the tarmac roadway, are driven safely and are fully registered, taxed and insured. If contractors need to drive vehicles onto the access pathways and grass verges, this must be approved by the Parish Council in advance.
- b) Vehicles belonging to mourners or visitors should be parked outside the Burial Ground gates in a safe manner.

22. Maintenance of the Burial Ground

Maintenance must only be carried out by authorised Parish Council staff or authorised contractors of the Parish Council. No grounds maintenance of any kind, including the use of lawnmowers, is to be carried out by members of the public.

23. Health & Safety

It is the responsibility of all employees, visitors and contractors attending the Burial Ground to take reasonable care of both their own and other people's safety, and to co-operate with the Parish Council, as the Burial Authority, on safety matters.

24. Revision of Regulations and Reserved Rights

The Parish Council reserves the right to review and amend the regulations, services and charges to be made when necessary. Revised regulations will be made public on the Parish Council's website.

These revised regulations supersede all previously issued regulations.