



# Cricklade Town Council

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## Cemetery Regulations

### THE LOCAL AUTHORITIES CEMETERIES ORDER 1977

For the purpose of the following extracts from the above Order “Burial Authority” means Cricklade Town Council. “Cemetery” means the cemetery which has been provided and belongs to the said Council and is known as Bath Road Cemetery

“Burial” includes;

- (a) the interment of cremated remains
- (b) the interment of the bodies of stillborn children or the cremated remains thereof.

#### ARTICLE 5 (6)

A burial authority may at the request of a particular denomination or religious body, prohibit the interment or scattering of cremated human remains in or over a part of the cemetery set apart for their use.

#### ARTICLE 10 (6)

No body shall be buried, or cremated human remains interred or scattered in or over any grave, or vault in which an Exclusive Right of Burial for the time being exists, except by, or with the consent in writing of, the owner of that right.

#### ARTICLE 18 (1)

No person shall;

- (a) Wilfully create any disturbance in a cemetery.
- (b) Commit any nuisance in a cemetery
- (c) Wilfully interfere with any burial taking place in a cemetery
- (d) Wilfully interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants on any such matter
- (e) Play at any game or sport in a cemetery

#### ARTICLE 19. PENALTIES

Every person who contravenes:-

- (a) Any prohibition under article 5 (6) above.
- (b) Article 10 (6) above.
- (c) Article 18 above.
- (d) Part 1 of Schedule 2.

Shall be liable on summary conviction to a fine not exceeding £100 and in the case of a continuing offence, to a fine not exceeding £10 for each day during which the offence continues after conviction therefore.

## **SCHEDULE 2. Part 1. EXERCISE OF RIGHTS**

1. No burial shall take place, no cremated remains be scattered and no tombstone or other memorial shall be placed in the cemetery and no additional inscription shall be made on a tombstone or other memorial without the permission of the officer appointed for that purpose by Cricklade Town Council.
2. No body shall be buried in a grave in such a manner that any part of the coffin is less than 3 feet (91cm) below the level of any ground adjoining the grave.
3. No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave on a previous occasion by means of a layer of earth not less than 6 inches (16cm) thick.
4. When any grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove any soil which is offensive.
5. Every walled grave or vault shall be properly constructed of suitable materials.
6. Within 24 hours of any burial in a walled grave or vault, the coffin shall be:-
  - (a) Embedded in concrete and covered with a layer of concrete not less than six inches (16cm) thick: or
  - (b) Enclosed in a separate cell or compartment of slate, stone flagging or pre-cast concrete slabs of 1:2:4 mix, in any case not less than 2 inches (5cm) thick, in such a manner as to prevent, as far as may be practicable, the escape of any noxious gas from the interior of the cell or compartment.
7. Any person to whose order a body is buried in a grave in respect of which an Exclusive Right of Burial has been granted shall, as soon as conveniently may be after the subsidence of the earth has been completed, cause the surface of the grave to be covered with any tombstone or other memorial in respect of which a Right has been granted by the Burial Authority or any predecessors of theirs, or with fresh turf, or, where the Burial Authority permits, with such flowers and shrubs, or in such a manner, as may be permitted.
8. Permission must be sought on any planting other than flowers. It is recommended not to plant on graves for six months to allow settlement of the ground.

## RULES AND REGULATIONS

1. (a) Only parishioners and previous parishioners (who have appeared on the electoral roll) and their immediate dependants (children) will be permitted to be buried in Cricklade.
    - (b) Only ashes of non-parishioners are permitted to be buried except where:
      - (i) the burial is into an existing double grave
      - (ii) the grave was reserved by the non-parishioner whilst still on the electoral roll for Cricklade.
  2. In these rules and regulations, unless the context requires, the words:

“The Council” means Cricklade Town Council.

The “Clerk” means the “Town Clerk and Registrar” of the cemetery and any person appointed by the Council to act on his behalf.

The “Cemetery” means the Council cemetery at Bath Road, Cricklade.

“Purchased grave” means a grave space in respect of which an Exclusive Right of Burial has been granted.

“Public grave” means any grave wherein no Exclusive Right of Burial has been granted.
  3. Three clear days notice to be given for an Internment in a grave, selected by the Council, exclusive of weekends and bank holidays. An exception to this would apply to special dispensation on Religious grounds.
  4. (i) Notice of interment will be accepted by telephone but must be confirmed on a printed interment form obtained from the Clerk. Responsibility for any error or omission shall rest upon the person signing the notice
  - (ii) Notice of every interment shall be given to the Clerk between 9.00am and 5.00pm on Mondays to Thursdays and 9.00am and 4.45pm on Fridays, excluding Public Holidays, and all fees and charges shall then be paid. In the case of an interment in a public grave a form of notice must be properly completed and signed by a near relative of the deceased or other duly qualified person; otherwise the order will not be accepted.
  - (iii) The Council will not accept responsibility for the consequences arising from the loss or delay of any notice or other document sent by post.
5. All fees and charges for interments must be paid for prior to the funeral. All other fees must be paid for in advance. The charge for interment in a public grave does not include any right of privilege other than the right to make a single interment in a grave selected by the Clerk.

6. The fees shown exclude the charge for grave digging which must be arranged by the Undertaker including equipment and shuttering.
7. The hours of Burial are fixed during the months of April, May, June, July, August and September from 10:00am – 4:00pm and during the months of October, November, December, January, February and March from 10:00am – 3:00pm.
8. Two days notice of the day of the Funeral to the Officiating Minister.
9. Interments are not permitted on any Saturday, Sunday, Good Friday, Christmas Bank Holiday, Special Public Holiday or Spring or late Summer Holidays without prior agreement.
10. Funerals will be received in strict rotation according to the fixed time of commencement, and the time of a funeral that arrives late or is delayed in the cemetery will be re-arranged at the discretion of the Clerk.
11. The arrangement for any ceremonies of a special or unusual nature shall be subject to the prior approval in writing of the Clerk.
12. The Clerk must be notified as soon as possible if a large number of persons are expected to attend a funeral.
13. A certificate of disposal issued by a Registrar or Deputy registrar of Births and deaths or a Coroners order for burial shall be delivered to the Clerk or hi/her deputy on arrival at the cemetery. A certificate issued by the appropriate cremation authority will be required for the disposal of cremated remains.
14.
  - (i) The person making funeral arrangements shall notify the Clerk in all cases where the deceased suffered from an infectious disease or was exposed to radiation.
  - (ii) If, in the interest of public health, the Clerk so decides and directs, a body shall be taken direct to the grave.
15. The conduct of any funeral in a cemetery shall be subject to the control and supervision of the Clerk.
16. The person arranging a burial shall be responsible for the attendance of a minister to officiate at the burial service.
17.
  - (i) A body shall not be accepted for interment unless it is enclosed in a coffin or container normally accepted by the Council and approved by the Clerk. Coffins of wood or wood products or other materials agreed with the Town Clerk only shall be used in all graves and must bear a nameplate establishing the identity of the body contained therein.

- (ii) It shall remain the responsibility of the Funeral Director to ensure adequate provision is made to carry and lower the coffin to the said grave. Should the family decide to carry the coffin the Funeral director must lower the coffin. The Council shall not accept any liability of injury whilst carrying out that duty.
18. The sites of all graves will be determined by the Clerk. All work in connection with the excavation of a grave shall be carried out by gravedigger arranged by the Funeral Director. When a grave is opened for burial it will be necessary to place soil on the adjacent grave space. The grave space will be wholly contained within an area of dimensions 7 feet by 3 feet 6 inches maximum (approx. 210cm x 105cm)
  19. The Town Council holds the Undertaker responsible to dig the grave to Town Council specifications at the location marked by the Town Council.
  20. A Grant for Exclusive Right of Burial in a purchased grave for a period of seventy-five years will be issued to the purchaser and such person will be registered in the records of the cemetery as the owner of the right of burial in that grave space. The full name and address of the purchaser must be supplied to the Clerk at the time of purchase.
  21.
    - (i) Reservations There will be NO refund of the fee if the plot is no longer required.
    - (ii) To temporarily suspend the facility to pre-book graves at Cricklade cemetery.  
When land has been purchased to extend the cemetery the pre-booking facility will be revised. Before a reservation will be accepted, proof of previous residency in Cricklade must be provided.
  22. A purchaser or owner for the time being of the Exclusive Right of Burial in a grave shall not dispose of such right without the consent of the Council, and every transfer of such right shall be prepared by the Council at the expense of the applicant.
  23. In the case of a purchased grave to be re-opened, the Grant of Right of Burial must be produced, or other authority of the owner to open given.
  24.
    - (i) No grave or grave space shall be raised above the level of the ground immediately adjoining the grave or grave space.
    - (ii) The owner of a grave space shall not set out and plant the grave space, but this prohibition shall not apply where permission was granted prior to the coming into operation of these Regulations.
    - (iii) The Council reserve the right to cut back or remove any tree, plant or shrub or other form of decoration planted in or placed on the grave space.
    - (iv) The Council do not permit artificial trees, plants or shrubs, flowers or other forms of decoration to be placed on any grave space except at the discretion of the Town Clerk.

- (v) Such items are placed on graves at the discretion of each individual and the Council will not accept any liability for any theft or damage of any such items.
- 25. Shrubs, plants and flowers must not be taken out of the cemetery without the consent of the Clerk.
- 26. No article placed upon a grave may be taken from the cemetery without permission of the Clerk.
- 27. All dead flowers and wreaths, garden refuse and litter must be conveyed to the nearest waste disposal bin.
- 28. By 31 January all Christmas decorations will be cleared.
- 29.
  - (i) No memorial shall be erected or placed on a grave until the owner of the grave space has been granted permission to do so. Such permission shall not be granted until the requisite fees and charges have been paid. The fee that applies is paid at the time of application rather than at the time of the installation of the memorial.
  - (ii) Application for permission to erect or place a memorial on a grave shall be made in writing to the Clerk, which and be accompanied by the requisite fee. Drawings and specifications of all memorials or alterations thereto, and any inscription thereon, shall be submitted at the time of application.
- 30. **MEMORIALS**
  - (i) Maximum height of 3 feet (91cm), on a plinth not exceeding 3 feet by 1 foot 6 inches (91 x 46cm). Total size of memorial and plot not to exceed 7 feet by 3 feet 6 inches (approx. 210cm x 105cm).
  - (ii) No separate curb stones shall be more than 1 inch (2.5cms) above ground level and not outside the curtilage of the grave space.
- 31. The Town Council must be notified of any repairs to be carried out to memorials.
- 32. Memorial Garden for Burial of Ashes
  - (i) Plaques must be obtained through the Town Council Office. These are 6 inches by 4 inches (15cm x 10cm) for single and 11 inches by 7 inches (30cm x 18cm) for double.
  - (ii) Flowers are permitted on individual spaces only in the vases specified by the Town Council. Alternatively a flower area is provided.
- 33. Memorials, any vases and bases associated with them must be of reasonable material in keeping with the surroundings. Memorials may not be of wood, metal, concrete or synthetic material and shall not be painted.
- 34. Memorials and vases of natural quarried stone shall have the number of the grave space put conspicuously thereon in a position approved by the Clerk, the expense being borne by the applicant.

35. Memorials will be admitted into the cemetery during normal working hours on the production of a receipt showing that prescribed fees have been paid. Twenty-four hours prior notice must be given to the Clerk before fixing a memorial.
36. Applications for permission to place photographs on headstones must be made to the Clerk together with a copy of the intended photograph. Two photographs only are allowed on a headstone. The sizing of each plaque shall remain universal at 5 inches by 3 inches (12cm x 8cm). Surrounds are not permitted.
37. No hewing or dressing of memorials will be permitted within the cemetery and all materials shall be conveyed in such a manner as will avoid annoyance to persons or damage to the grounds and walks. Monumental masons must remove to a place directed by the Clerk, all surplus earth, refuse and materials after fixing a memorial leaving everything in a clean and tidy condition.
38. All memorials shall be kept in repair by the owner and if not so kept may be repaired or removed by the Council at its discretion and at the expense of the owner.
39. Where it is necessary to remove a headstone or memorial on a purchased grave where such a grave is to be re-opened, arrangements shall be made with a monumental mason who shall remove it from the cemetery. The owner of the grave will be liable for the expense incurred, and will also be responsible for the replacement of the memorial at his/her own expense.
40. The Council will exercise proper care during maintenance operations, but will not accept responsibility for any damage that these operations may cause.
41. The permission of the Clerk must be obtained before photographing a funeral procession or graveside proceedings in the cemetery. No photographs for commercial purposes may be carried out.
42. All vehicles and bicycles must be left near the entrance gates and whilst so left will be at the owner's risk. Motor vehicles may be allowed in the cemetery by permission of the Clerk or to enable an invalid to visit a grave. Visitors must keep to the drive and paths provided except when visiting a grave and must refrain from touching shrubs, plants and flowers.
43. No person shall allow any dog or other animal belonging to him/her or in his/her charge or under his/her control, to enter or remain in the cemetery. Guide dogs with blind persons are accepted.
44. All persons visiting the cemetery must conduct themselves in a quiet and orderly manner and no inebriated person will be allowed within the cemetery.
45. No person shall canvas or solicit "orders" in the cemetery.
46. No person employed by the Council is allowed to receive a gratuity.

47. All persons entering the cemetery do so at their own risk and the Council will not accept any liability for any injuries or damage sustained by any person whatsoever.
48. A Register of Burials shall be kept at the Town Council Office.
49. No more than two grave spaces may be selected and purchased at one time without the consent of the Council.
50. **Any Rules and Regulations previously in force in respect of the cemetery are hereby superseded.** The Council may from time to time make alterations in the foregoing Rules and Regulations and any Right of Interment in a grave will be subjected to these Rules and Regulations and any others that may be made by the Council or any other Authority and Subject also to any present or future statutory regulations.