

Carlton Parish Council - Cemetery Rules

1. GENERAL

- 1.1 The cemetery is owned and managed by Carlton Parish Council.
- 1.2 The cemetery is normally open to the public between dawn and dusk each day.
- 1.3 The cemetery is administered by and is under the charge of the clerk to Carlton Parish Council, whose contact details are: -

Mrs Helen Phillips Tel: 07714125183. Email: clerk@carltonparishcouncil.gov.uk
- 1.4 The Council will maintain the cemetery in a good and decent order. The Council reserves the right to prune, cut down or remove any shrubs or trees within the cemetery at any time in order to maintain decent order.
- 1.5
- 1.5.1 In the event that remedial or maintenance works are required to the structures or land within the Cemetery, (including but not limited to the boundary walls, buildings, pathways and utility supplies), the Parish Council reserve the right to temporarily remove any memorials which may impede the works being carried out to a safe and satisfactory standard, for the time of the works.
This temporary removal will be completed with respect, and full reinstatement will be undertaken as sympathetically as possible to the original fixture without cost to the plot holder or family concerned.
Plot owners will be notified in writing, where possible, at least four weeks prior to the commencement of any works. In this case the plot owner, on notifying the clerk, can arrange for safe removal and storage of any memorials at their own discretion and expense, if preferred. That must be carried out by a known reputable monumental mason who must contact the clerk with the required permit documentation prior to the removal work being carried out.
- 1.5.2 In the event of an emergency situation that may include a Health & Safety risk to Cemetery visitors the Parish Council reserve the right to bypass clause 1.5.1
The plot owner/ family will be notified in writing, as soon as possible in this case, with an explanation of the requirement and what work has been undertaken.
Any such work, in emergency circumstances, will be at the cost of the Parish Council.
- 1.6 It is not permitted, for any person to affix any item to the cemetery walls, internally or externally whether on a permanent or temporary basis. Should any item be fixed to any part of the walls, the person responsible and/or the plot owner will be required to remove the item/s and make good repair to the wall, at their own expense. This must be completed to a standard acceptable to the Parish Council. Should the corrective work not be completed to this standard, the Parish Council reserve the right to have the work rectified by a contractor of their choice and the cost will be passed on to the responsible party/plot owner and or the matter reported to the appropriate authority as Criminal Damage.
- 1.7 Plans of the cemetery are kept at the clerk's address and may be seen by prior appointment. A copy of the Rules and Regulations, table of fees etc. may also be obtained. All burial records are kept at the clerk's address and will be made available to individuals with an established interest who can request information from the clerk.
- 1.8 The allocation of all grave spaces and cremated remains plots is subject to agreement and the approval of the clerk.

- 1.9 Allocation of grave spaces shall be subject to payment of fees applicable at the time of allocation, whether a full plot or cremation plot (for ashes) is purchased. An Exclusive Right of Burial Certificate will be issued soon after. Further fees are payable at the prevailing rate upon an interment taking place.
- 1.10 The Exclusive Right of Burial Certificate means that the purchaser of the certificate owns the Right to Inter for 60 years. The certificate does not mean that the purchaser owns the land. The land always belongs to Carlton Parish Council.
- 1.11 It is the owner of the Exclusive Right of Burial responsibility to inform Carlton Parish Council, via the clerk, of any change of address. Failure to do so may mean that no current familial contact details are held by the clerk and may lead to unannounced, required actions to facilitate and maintain the order of the cemetery.
- 1.12 It is the responsibility of the owner of the Exclusive Right of Burial to inform family and /or executors of the purchase of the Exclusive Right of Burial.
- 1.13 Should a purchased grave plot be returned, unrequired, it is at the Parish Council's discretion as to whether a full or partial refund be given for the cost of the plot.

2. TRANSFER OF EXCLUSIVE RIGHT OF BURIAL (Right of Ownership)

- 2.1 A transferred Exclusive Right of Burial to a plot is only valid if it has been registered and agreed by the Parish Council.
- 2.2 It is required that once the plot owner has been interred within the grave, arrangements be made for the Transfer of Ownership. No further burials, interments of cremated remains, scattering of cremated remains, additional inscriptions on memorials, or installation of new memorials, will be permitted until entitled ownership has been established.
- 2.3 In cases where the original purchaser is deceased, the new owner must demonstrate ownership of the plot by producing a) a valid Will, b) Grant of Probate, c) Letters of Administration, or d) if the others are missing, a completed Statutory Declaration witnessed by a Commissioner of Oaths, (solicitor).
- 2.4. A fee may be charged for accepting this documentation which must be paid at the time of application.

3. INTERMENTS (INCLUDING THE INTERMENT OF CREMATED REMAINS)

- 3.1 No burial shall take place, or any memorial placed relating thereto, without the prior permission of the clerk.
All excavations for the interment shall be undertaken only by persons approved by the Council, by traditional manual methods, unless by prior agreement.
- 3.2 No burial of cremated remains shall take place, or any memorial placed relating thereto without the prior permission of the clerk.
All excavations for the interment of cremated remains shall be undertaken only by persons approved by the Council, by traditional manual methods, unless by prior agreement.
- 3.3.1 Should points 3.1 to 3.2 be breached the Council reserve the right to remove the funeral director (or monumental mason) from their approved list of contractors and therefore retract permission to work within the cemetery grounds.
- 3.3 All funeral directors and persons responsible for excavating must provide evidence of current Public Liability insurance and Risk Assessments to the Council, via the clerk.

- 3.5 A minimum of 5 days notification must be given for interment intention, prior to the interment, which must be confirmed by the clerk, before any further actions occur.
- 3.6.1 Every Notice of Interment shall be on the form provided or otherwise agreed by the Council and must contain a full and true statement of the particulars required and be signed by the applicant.
- 3.6.2 Should a funeral director fail to notify the clerk of an interment, and provide the required paperwork, prior to the interment, a penalty charge of £200.00 will be imposed. A second incident in the same vein will result in the funeral director being removed from the Council's approved contractor list, and will not be permitted to work within the cemetery forthwith.
- 3.7 Orders or instructions received by telephone shall be confirmed in writing within 24 hours. The Council will not accept responsibility for loss of any remittances or instructions forwarded by post.
- 3.8 The Registrar's or Coroner's Certificate for the disposal shall be made available prior to the funeral taking place.
- 3.9 The funeral director in charge of the funeral must arrange for a minimum of FOUR people to carry the coffin to the graveside. It is the responsibility of the funeral director to increase the number of bearers subject to Health and Safety considerations.
- 3.10 Cremated remains may be interred 'loose', or in urns or caskets of a suitable design and construction which must be biodegradable.
- 3.11 A cremation plot may be purchased to place cremated remains within and the cost for that plot will be stated in the Cemetery Charges for the relevant year.
- 3.12 Interments of person's up to the age of 18 are non-chargeable, but must follow the normal process of documentation and notification.

4 MEMORIALS

- 4.1 The Exclusive Right to Erect a Memorial, for the period of 60 years, must be purchased concurrently by the owner of the Exclusive Right to Burial.
 - 4.1.1 The trained Council team complete Memorial Safety Testing at least every 5 years, the results and required actions being issued to the plot owner on discovery of the memorial found to be unstable. The required corrective action must be completed by an approved monumental mason within a maximum of 6 months.
 - 4.1.2 Repairs rectified by the memorial owner must be at their own cost. In extraordinary circumstances the Council may, at their discretion, agree to contribute to the cost of those repairs; each case will be treated on an individual basis and must be addressed to the council via the clerk in the first instance.
 - 4.1.3 Failure to correct any safety faults within the noted timeframe permits the Council to remove the memorial should they wish to maintain the visiting public's safety.
 - 4.1.4 Re-fits and/or renovations of memorials can be completed after notifying the clerk, and are not chargeable works. Failure to notify the clerk of intended works/ removal of memorial may result in a financial penalty of £50.00 being incurred.
- 4.2 Before the erection of any memorial or other work relating to a plot an application must be made to the Council, via the clerk. This application must include a drawing/sketch with measurements and nature of the proposed memorial including materials to be used, along with full details of proposed inscription. Subject to approval and on

payment of the appropriate fees, authorisation will be granted. No memorial may be erected, or inscription made unless approved by the clerk.

- 4.3 All Monumental Masons must provide current evidence of Public Liability Insurance and Risk Assessments to the Council, via the clerk.
- 4.4 All Memorials shall be constructed of good quality stone with all fixings made in accordance with recognised trade standards (Recommendations of National Association of Monumental Masons or equivalent) and shall be stabilised using the recommended underground fixing. Headstones and plinths shall be erected vertically on the outer edge of the plot at the head of the grave and shall not exceed 3 feet (900mm) in height measured from the ground or 3 feet (900mm) in width. The plinth shall not exceed 12 inches in depth (300mm). The headstone shall not exceed 4 inches (100mm) in thickness and must be in line with other headstones in the row.

Memorials should be installed in accordance with BS 8415: 2018 (the British Standard for the Memorial Masonry industry).
- 4.5 Should any memorials, not of the dimensions in 4.4 be put forward to the Council for consideration, this would be taken on an individual basis for the Council to consider approval.
- 4.5.1 In the event of neglect of any memorial, after 3 months' notice posted or delivered to the last known address of the owner, the Council shall have the right to remove, lay down, or dispose of any such memorial as they may direct.
- 4.5.2 The Council reserves the right to take any such action as may be deemed appropriate in cases of neglected or vandalised memorials which have become a danger to the public, and the cost of such action may be sought from the family or legal representatives.
- 4.6 All materials and tools used for the erection of the headstone must be transported safely, in accordance with the contractor's risk assessment/s, and not cause damage to the surfaces of the cemetery and its pathways. If damage is caused the contractor must make good the damage, at no cost to the Council.
- 4.7 All persons erecting headstones must use such means as to protect the grass and the pathways as directed by the clerk, or a nominated representative, and shall be responsible for the clearing of the site following erection of the same including surplus materials.
- 4.8 The erection (or renewal) of a wooden cross is not allowed other than for a temporary period not exceeding 6 months, following interment. In default of this regulation the Council reserves the right to remove any such cross.
- 4.9 **Flowers and shrubs must not be planted on purchased graves. The Council may remove any shrubs, plants or flowers that have been planted in the vicinity of burial plots. This is to facilitate proper and effective maintenance of the cemetery.**
- 4.10 No grave shall be raised by the use of turf, or other means, above the level of the ground in the immediate vicinity.
- 4.11 **No grave shall be covered with artificial grass, stones, paving or gravel, unless by prior approval by the Council. An agreement contract must be signed by the plot owner prior to any installation process. The Council have the right to remove any such coverings, if installed without proper approval. This is to facilitate proper and effective maintenance of the cemetery.**

- 4.12 **No vases (other than those incorporated within a headstone), shrubs, trees, plants, artificial wreaths, jars, bowls, toys or memorabilia, shall be permitted. Any breach of this condition may result in the removal of any such item by the Council. This is to facilitate the proper and effective maintenance of the cemetery.**

5. FLOWERS, FLORAL TRIBUTES AND CHRISTMAS WREATHS

- 5.1 Floral tributes from funeral services will be removed and disposed of 2 weeks after the funeral service. This is to facilitate the proper and effective maintenance of the cemetery.
- 5.2 Only artificial flowers and fresh cut flowers are permitted. These must be placed in the headstone's vase that is incorporated in the plinth.
- 5.3 All wrappings should be removed and taken home for disposal.
- 5.4 Containers used for transporting water must be taken home for reuse or disposal. Containers left behind headstones may be removed by the Council for disposal.
- 5.5 Perished floral tributes should be disposed of in the bins provided.
- 5.6 All perished floral tributes may be removed by the Council at their discretion.
- 5.7 Carlton Parish Council cannot be held responsible for any floral tributes that cannot be found. Floral tributes are left at the person's own risk.
- 5.8 **Christmas wreaths may be placed in front of headstones during the Christmas period (1st December to 7th January). They should be removed from the 1st February onwards.**

6. GENERAL CONDUCT

- 6.1 Persons within the Cemetery shall, at all times, conduct themselves with consideration and respect to the surroundings they are in. Any person found conducting themselves in a noisy, discourteous, or disorderly manner will be expelled from the cemetery.
- 6.2 Children under the age of twelve will not be admitted except under the care of a competent person and all persons admitted to the cemetery will be subject to the directions of the clerk or their nominated representative.
- 6.3 Dogs will only be allowed in the cemetery when secured on a lead and **must** be prevented from defecating the area; all matter should be removed and disposed of safely should this occur.
- 6.4 Cycling, skateboarding, scooters, or rollerblading within the cemetery is prohibited.

THE COUNCIL RESERVES TO ITSELF THE POWER TO MAKE ALTERATIONS FROM TIME TO TIME IN THE FOREGOING RULES.