



Annesley & Felley Parish Council

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Cemetery Rules and Regulations

1. General

- 1.1 In these Rules and Regulations 'The Council' means Annesley & Felley Parish Council.
- 1.2 'The Registrar' means the Parish Clerk.
- 1.3 'The Cemetery' means the Cemetery provided by the Council located on Annesley Cutting, Annesley.
- 1.4 The Cemetery will be open to the public from sunrise until sunset.
- 1.5 All Contractors/Persons wishing to work within the Cemetery must provide annually, evidence of Public Liability and Employers Insurance cover to indemnify the Council against any claims arising from any acts or omissions. Should any Contractors/Persons wishing to undertake work in the Cemetery, must abide by the relevant regulations. Should any Contractor/Person not do so, the Council reserves the right to refuse further access until such time that those persons can demonstrate their compliance.
- 1.6 No memorial shall be altered or interfered with after it has been erected in the Cemetery according to the design submitted to and approved by the Registrar. Nor shall any work of any kind of description be undertaken or carried out within the Cemetery without the consent of the Registrar first being obtained.

2. Burials

- 2.1 No burial shall take place before 9.00am or finish after 2.30pm, November to March; or before 9.00am or finish after 3.30pm April to October.
- 2.2 No burial shall take place at a weekend or on a statutory Bank Holiday or the Tuesday following a Bank Holiday Monday. Note that if a graveside service is requested booking an earlier time is required
- 2.3 Advanced notifications of internments may be telephoned to the Registrar Monday to Friday between the hours of 9.30am to 12.15pm.
- 2.4 For the booking of internments, including those of cremated remains or strewing of the cremated remains, then all particulars must be fully completed on an "Information required for Funerals" form.
- 2.5 Fully completed "Information required for Funerals" forms must be delivered to the Registrar seven working days prior to the interment and at least ten working days prior to a brick or vault interment.
- 2.6 The "Information required for Funerals" form must be completed in full and contain the following details:
 - Name of Cemetery.

- Date and time of funeral service including the time at grave side.
- Full name and address of the deceased.
- Place of death of the deceased.
- Date of death and age of deceased.
- Full particulars and description of the grave to be used with plot number.
- Type of coffin - standard or casket.
- Overall length, width and design of the coffin including associated furniture e.g. handles.
- Name of officiating clergy or minister.
- Full name, address and telephone number of the funeral director.
- Full name, address and telephone number of the applicant.

2.7 The applicant's signature is required on the "Information required for Funerals" form whether the grave be a new one or a re-opened grave.

2.8 No vault or grave in which the Exclusive Right of Burial has been purchased shall be opened without the consent of the owner in writing or statutory declaration to the Council. In the event that the Exclusive Right of Burial deed is in existence then this should be presented to the Registrar.

2.9 Funeral directors shall ensure that all applicants are given a copy of the 'Summarised' version of Cemetery Rules and Regulations at the time of completing the "Information required for Funerals" form and that a signature is obtained on the "Information required for Funerals" form confirming that the applicant has received and accepted the Cemetery Rules and Regulations.

2.10 The District Registrar's certificate of Disposable, the Coroner's Order for burial or the Cremation Certificate must be presented to the Registrar prior to the time of burial.

2.11 All fees shall be as per the Council's current scale of charges applicable at the time of interment and must be fully paid to the Registrar at least 2 days prior to the interment. The Council's decision is final as to whether the applicant or the interned person is resident of the Parish of Annesley & Felley. .

2.12 At the time of death a former resident of the Parish who has not resided in the Parish for two years or more shall be deemed a non-resident and the fees shall be as per the Council's current scale of charges. The Council's decision is final.

2.13 Any person who dies in a state hospital or nursing home outside the Parish boundaries and who was an Annesley & Felley Parish resident for two years or more immediately prior to removal such as hospital or care home shall be deemed a resident of the Parish and charged as per the Council's current scale. The Council's decision is final.

2.14 The standard grave size is 1.25m x 2.75m (4'-0 x 9'-0).

3. Burial Procedure

3.1 No body shall be accepted for interment unless it is enclosed in a coffin acceptable to the Registrar. The Registrar must approve details of any special type of coffin proposed at the time when the "Information required for Funerals" form is submitted to the Registrar. The Council's decision is final.

3.2 Coffins constructed from woods or similar biodegradable materials shall be permitted for use in all graves. Handles must be fixed to all coffins.

3.3 Every coffin in a bricked grave or vault shall be covered by slabs or in such a manner as approved by the Registrar. Vaults or bricked graves shall not be opened otherwise from the top except with the consent of the Registrar.

3.4 All excavations for the grave shall be carried out by contractors of the Council and no grave or vault may be excavated beyond such depth as the Council may prescribe.

- 3.5 Any work on, or any re-opening of any graves or vaults, or the erection or removal and re-fixing of memorials must be approved in writing by the Registrar.
- 3.6 Any such work must be done at the expense of the person requiring the same or his/her agent procuring the same on their behalf. They shall also be responsible for the re-erection or replacement as soon as practical after the interment.
- 3.7 The Council will not undertake any work in or about the construction or re-opening of bricked graves or vaults or the erection or removal or re-fixing of memorials, with the exception of clause 3.8.
- 3.8 In the interest of safety the Council will make safe all memorials and surrounding areas, that they consider to be a safety risk, without consultation with the owner of the Exclusive Right of Burial deed.

4. Grant of Right of Burial

- 4.1 The Exclusive Right of Burial is the right to bury upon the death of one's self and/or members of one's family in a private grave on which a memorial headstone can be placed and not an un-purchased grave to which there is no right for either memorial or interment.
- 4.2 The Exclusive Right of Burial does not give the purchaser any rights over the ownership of such a grave space, the land remains in the ownership of the Council.
- 4.3 The purchaser of The Exclusive Right of Burial in a grave or vault may not select the position the grave space, except in exceptional circumstances when the purchaser/s wish shall be considered as far as it is practical and subject to the approval of the Registrar.
- 4.4 On the purchase of the Exclusive Right of Burial of a grave, the Council shall issue an Exclusive Right of Burial Deed to the person whom, or on whose behalf the Exclusive Right of Burial has been purchased and such named person shall be registered in the Purchased Grave Register as being the owner of the Deed.
- 4.5 Whenever any internments take place in a private grave the Exclusive Right of Burial Deed shall be produced to the Registrar together with "Information required for Funerals" form.
- 4.6 In the case where the Exclusive Right of Burial Deed has been lost or mislaid the grave will be opened on the application of any person/s whom is entitled thereto, making a statutory Declaration and giving indemnity to the Council (application for which is found on the "Information required for Funerals" form).

5. Cremated Remains

- 5.1 An area of ground in the Cemetery is designated as a Cremated Remains Section for the Interment of Ashes. Each Cremation Remains plot shall be 750mm x 750mm (2'-6 x 2'-6) to accommodate one or two caskets. For details of interment procedure refer to clause 2.5.
- 5.2 When cremated remains are interned in the Cremated Remains Section it is permissible to have a simple memorial plaque 300mm x 300mm (1'-0 x 1'-0). All designs and wording are to be approved by the Registrar whose decision is final.

6. Transfers of Grant of Right of Burial

- 6.1 All transfers of the Exclusive Right of Burial of a vault or grave must be registered with the Registrar.
- 6.2 Transfer of The Exclusive Right of Burial is only allowed for the resale of such rights returns back to the Council, on a pre-purchased grave, which has had no internments at the time of transfer. The resale value of such transfers shall be the same, as at the time of the Exclusive Right of Burial was granted only if the new purchaser lives within the Councils boundaries, otherwise the current costs of purchase will apply.

7. General Information

- 7.1 Council permission must be obtained in writing prior to the placing, alteration or removal of any memorial.
- 7.2 The Council will undertake to turf or seed the grave as soon as it is practically possible to do so following interment.
- 7.3 The only permitted memorials on a grave will be a headstone which can incorporate a flower container.
- 7.4 The fixing of flat stones or kerb sets will not be permitted. Enclosing borders of any description or raised plots are also not permitted.
- 7.5 Memorials must not be of wood, metal, glass, concrete or synthetic materials and shall not be painted.
- 7.6 No trees, shrubs or bulbs shall be planted on or near graves.
- 7.7 The Council, at that Exclusive Right of Burial deed holder's expense, will remove and dispose of without prior consultation and legal recompense to the Deed holder or family, any headstones, vases, trees, shrubs, bulbs and any other items that are not compliant with the current Rules and Regulations. All Christmas wreathes will be removed after 28th February each year.
- 7.8 The surface of the grave must not be obstructed and must remain flat for easy mowing of the grass.
- 7.9 No trenches or other means of marking the boundary of the grave are permitted.
- 7.10 All new graves will be lawn type and as such will be maintained by the Council.
- 7.11 The Council or its officially appointed agents have the right to remove and dispose of any dead or damaged tributes from a grave without prior consultation and legal recompense to the Deed holder or family...
- 7.12 Nothing is to stand on the grass in front of the area reserved for the base of a head stone.
- 7.14 It is an offence to drive a vehicle anywhere in the cemetery except those authorised to do so be the Registrar.
- 7.15 When new graves are being prepared there may be some disruption to neighbouring graves owing to soil displacement.

8.0 Conduct in Cemeteries

- 8.1 All visitors must conduct themselves in a quiet and orderly manner at all times. The Council representatives have the right to exclude or remove any member of the public at their discretion.
- 8.2 Under the provision of the Local Authority's Order 1977 it is an offence for a person to wilfully:
- Create any disturbance in a Cemetery.
 - Commit any nuisance in a Cemetery.
 - Interfere with any burial-taking place in a Cemetery.
 - Interfere with any grave or vault, any tombstone or other memorial or flowers or plants in any such manner. Unless authorised by the Registrar.
 - Play any game or sport in a Cemetery.
 - Enter or remain in a Cemetery when it is closed to public, unless authorised by the Council to do so.
- 8.3 Persons who contravene these provisions shall be liable, upon conviction to a fine.

- 8.4 No carriages or vehicles shall be driven, drawn or propelled within the Cemetery at a speed exceeding 10mph and every driver or person in charge of such a vehicle shall obey the directions of the Council representatives whilst in the Cemetery.
- 8.5 Vehicles must only use the main drives and must park where indicated by the Council's representative who shall have the power to exclude any vehicle/s, which they consider unsuitable.
- 8.6 No pedal or motorcycles may be ridden in the Cemetery.
- 8.7 No person whilst in the Cemetery shall smoke.
- 8.8 Dogs must be on a lead at all times in the Cemetery.
- 8.9 No gratuity shall be offered to any Parish Councillor, Council employees or contractors.
- 8.10 Children under the age of 12 years shall not be permitted to enter the Cemetery on their own behalf unless supervised by an accompanied adult.
- 8.11 No persons may canvass or solicit orders within the Cemetery on their own behalf or for any other person/s.
- 8.12 No demonstrations of any kind or religious service other than that of the service at the time of interment shall be held without prior consent of the Registrar.
- 8.13 No musical instrument or other sound producing device will be allowed into the Cemetery except when used as an integral part of funeral service.
- 8.14 The discharge of firearms is not permitted except when it is an integral part of the funeral service.
- 8.15 All complaints must be made in writing to the Registrar.
- 8.16 The Council reserves the right from time to time to revise the foregoing rules.
- 8.17 In order to help inform and make the public aware of these Rules and Regulations, Funeral Directors and Monumental Masons are asked to assist the Council by communicating this document to any relevant customers.

9.0 Monumental Masons

- 9.1 Monumental Masons must book a date and time for fixing and show the permit issued to any Council representative at any time. No work is to be carried out without a permit. Fixing of memorials may only take place between 09.00am and 02.00pm Monday to Friday. No fixing will take place at the weekend or bank holidays or outside of these hours.
- 9.2 On the rear of every headstone towards the base, the grave number must be cut clearly for identification purposes at the expense of the person erecting the memorial.
- 9.3 All such work shall be carried out subject to the direction of the Registrar or their appointed representative. The person employed for carrying out such work must use such means for protecting the grass and walkways as directed. As soon as the works are completed the whole area must be cleaned to the satisfaction of the Registrar or their appointed representative.
- 9.4 All working or dressing of the stone or other materials to be used in or about any grave, vault, monumental or memorial stone except where such work is absolutely necessary, shall be done and completed outside the cemetery. All materials shall be carefully removed from the vehicle conveying the materials and neatly piled or placed in such a position upon or near the spot where they have to be used as directed by the Registrar or their representative (not on adjacent graves / unless authorised by the registrar).

- 9.5 All memorials and materials must be conveyed into the cemetery in such a manner as not to cause damage to other memorials, roads, walks or turf.
- 9.6 No memorials shall be placed on or erected except over vaults or graves in which the Exclusive Right of Burial is purchased.
- 9.7 Technical and graphical drawings and specifications of all memorials to be erected or placed over purchased vaults or graves together with proposed inscriptions, if any, and additional inscriptions for existing erections must be delivered to the Registrar for approval before work is started. The name, quality of materials, proposed heights, breadth and thickness should be stated on the appropriate form prescribed for such purposes.
- 9.8 No memorial shall be altered or interfered with after it has been erected in the cemetery according to the design submitted to and approved by the Registrar.
- 9.9 The re-turfing/seeding of graves is only to be carried out by the Council or their appointed contractor.
- 9.10 Memorials must not be of wood, metal, glass, concrete or synthetic materials and shall not be painted, any vases and bases associated with them must be of the best natural quarried materials, all dowels shall be stainless steel, galvanised steel or iron. All ground fixings must comply with current and future NAMM Regulations (Twin Rod System) and where rafts are installed NAMM (Twin Rod System) shall also be required.
- 9.11 Memorials that do not conform to the Regulations approved by the Council will be removed in accordance with such regulations. The non-conforming will have no notice given if the memorial is removed by the Council. Also the Council may take steps to recoup the costs involved.
- 9.12 Headstones and vases, not complying with the forgoing conditions will be removed by the Council who make take steps to recoup the costs involved.
- 9.13 When memorials are removed all parts including headstones, kerbs etc. and all other debris are required to be taken from the Cemetery by the Monumental Mason undertaking the work until an application refit or replacement memorial is approved and a permit is issued. Should all items not be removed to the satisfaction of the Registrar, the Council will undertake such works as necessary and make any reasonable and justifiable recharges to the Monumental Mason.
- 9.14 The Council will not be responsible for any damage or defacement to any memorial authorised or otherwise such being the responsibility of the owner thereof. (Insurance can be obtained to cover these occurrences).