



Cemetery Regulations 2010

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**PART 1
GENERAL**

1. Terms used in these Regulations

“Burial Authority” means the Corby Borough Council;

“Cemeteries Office” means the administration department of the Burial Authority that is responsible for day-to-day management of the Cemeteries;

“Grant Holder” means the owner(s) of an Exclusive Right of Burial;

“Approved Contractors” means those contractors who are employed by the Burial Authority or any other third party who satisfy the criteria as set by the Burial Authority (available for inspection by contacting the Cemeteries Office) from time to time;

“Exclusive Right of Burial” means a right that may be purchased from the Burial Authority which grants the purchaser, and his or her successors, the exclusive right of burial in a designated burial plot;

“Opening Hours” means the times during which the Cemeteries are open to the public as specified in paragraph 3, below;

“Table of Fees and Charges” means the table maintained by the Burial Authority (available for inspection by contacting the Cemeteries Office) setting out the matters in respect of which fees or other charges are payable to the Burial Authority and the amount of each such fee or charge.

2. Administration

(1) All enquiries regarding the Cemeteries should be directed to the Cemeteries Office at Planning and Environmental Services, Deene House, New Post Office Square, Corby NN17 1GD.

(2) The Cemeteries Office is open from: 9:00am to 5pm, Monday to Friday with the exception of Bank Holidays and other Public Holidays.

3. Opening Hours

Cemeteries are open to the public every day from 8.00am and close around dusk. Subsequently closure is different through the year as follows:

December – January	4.00pm
February	4.30pm
March	5.30pm
April	6.30pm
May	8.00pm
June – August	8.30pm
September	7.30pm
October	6.00pm
November	4.30pm

**PART 2
EXCLUSIVE RIGHT OF BURIAL**

4. Purchase and registration of an Exclusive Right of Burial

(1) An application to purchase an Exclusive Right of Burial shall be made on an application form, which is obtainable from the Cemeteries Office.

For the purposes of any such application, the applicant shall:

(a) deliver to the Burial Authority such documents and other information in writing as the Burial Authority may require; and

(b) pay the prescribed fee as set out in the Table of Fees and Charges.

(2) The purchaser of an Exclusive Right of Burial will:

(a) have their details entered into a register that will be maintained for this purpose by the Burial Authority; and

(b) be issued with a Grant of Exclusive Right of Burial from the Burial Authority as proof of their ownership of the Exclusive Right of Burial.

(3) It is the responsibility of the Grant Holder to notify the Burial Authority of any change of name or address.

5. Grave selection

When applying for an Exclusive Right of Burial an applicant's grave selection shall be subject to the Burial Authority's approval. However, the Burial Authority shall meet the wishes of the applicant as far as practicable.

6. Transfer of an Exclusive Right of Burial

(1) A Grant Holder may transfer their right subject to:

(a) the Grant Holder completing a Form of Assignment (obtainable from the Cemeteries Office) notifying the Burial Authority of the transfer; and

(b) payment of any prescribed fee as set out in the Table of Fees and Charges.

(2) Exclusive Rights of Burial can be assigned or passed on to another person on the production of the Burial Deed or other appropriate evidence from the person owing those rights.

PART THREE INTERMENT

7. Notice of Interment

(1) Notice of a proposed burial must be given to the Burial Authority by completing a Notice of Interment form (obtainable from the Cemeteries Office) as early as possible. In any event not less than two working days, prior to the Interment

(2) The two working days notice can be reduced on request in order to comply with the customary or religious practice of any community group. Details for arranging such burials are available on request from the Cemeteries Office.

(3) All burials must take place between 9am and 2pm.

8. Burial Authority authorisation

Upon receipt of a completed Notice of Interment form, the Burial Authority must authorise the proposed burial before any funeral arrangements are publicly announced.

9. Grave location

Unless the deceased is to be interred pursuant to an Exclusive Right of Burial, the Burial Authority shall specify the grave location.

10. Proof of Exclusive Right of Burial

If the deceased is to be interred pursuant to an Exclusive Right of Burial, the Grant Holder must prove their identity to the Burial Authority as the Grant Holder of that Exclusive Right of Burial before the interment can take place.

11. Grave dimensions

(1) To ensure Health and Safety requirements are complied with, the Burial Authority reserves the right to determine the maximum depth of a grave depending upon the location within the Cemetery and the soil conditions.

(2) Only Approved Contractors may be used to dig graves.

12. Burial register

The relevant certificate(s) for the Interment of the body issued by the Registrar and/or Coroner shall be produced to an officer of the Burial Authority prior to interment so an entry can be made in the burial register. Failure to produce the relevant certificate(s) will result in the Interment being delayed until such certificate(s) is produced.

13. Temporary removal of memorials

The Grant Holder is responsible for the removal and re-fixing of a memorial in connection with a burial and may only use a Registered Memorial Mason for this purpose. Memorials re-fixed following interment must be installed in accordance with the current version of the National Association of Memorial Mason's Recommended Code of Working Practice.

PART FOUR MEMORIALS

14. Memorial application

(1) The Grant Holder must complete an application form (obtainable from the Cemeteries Office), and receive written authorisation from the Burial Authority, before any memorial may be erected in a Cemetery or inscription placed on a memorial.

(2) (a) The Burial Authority reserves the right to remove any memorials not authorised by the Burial Authority. If the burial authority considers the item to be dangerous to cemetery users, under health and safety requirements this will be removed immediately, if not after 21 days notice.

(b) Removed unauthorised memorials will be kept for 60 days for collection. If not collected within this time they will be disposed of.

15. Memorial dimensions

Memorials at the Shire Lodge Cemetery must not exceed the following maximum dimensions:

(1) Traditional Lawn Type Memorial:

(a) Headstones:

- (i) Height – 762mm 30"
- (ii) Width – 610mm 24"
- (iii) Depth – 102mm 4"

(b) Base:

- (i) Height – 102mm 4"
- (ii) Width – 838mm 33"
- (iii) Length – 381mm 15"

(2) Traditional Kerb Type Memorial:

- (a) Headstones:
 - (i) Height – 914mm 36”
 - (ii) Width – 914mm 36”
 - (iii) Depth – 102mm 4”
- (b) Kerbs:
 - (i) Height – 152mm 6”
 - (ii) Width – 102mm 4”
- (c) Kerb Space:
 - (i) Length – 2133mm 84”
 - (ii) Width – 914mm 36”
- (d) Posts
 - (i) Height – 203mm 8”

(3) Cremation Lawn Type Memorial:

- (a) Headstones:
 - (i) Height – 533mm 21”
 - (ii) Width – 305mm 12”
 - (iii) Depth – 51mm 2”
- (b) Base:
 - (i) Height – 76mm 3”
 - (ii) Width – 457mm 18”
 - (iii) Length – 305mm 12”

(4) Cremation Lawn Type Memorial with Kerbs:

- (a) Headstones:
 - (i) Height – 533mm 21”
 - (ii) Width – 305mm 12”
 - (iii) Depth – 51mm 2”
- (b) Base:
 - (i) Height – 76mm 3”
 - (ii) Width – 406mm 18”
 - (iii) Depth – 305mm 12”
- (b) Kerbs:
 - (i) Height – 76mm 3”
 - (ii) Width – 76mm 3”
- (c) Kerb Space:
 - (i) Length – 508mm 20”
 - (ii) Width – 457mm 18”

Due to the nature of the layout in some traditional sections of the cemeteries, it may not always be possible to accommodate maximum sized Kerb set. Suitability of size and positioning will be at the discretion of the Burial Authority.

16. Erection of memorial

- (1) The erection of a memorial will be permitted only where:
 - (a) an Exclusive Rights of Burial exists;

- (b) the written permission of the Burial Authority has been granted;
- (c) payment of the prescribed fee as specified in the Table of Fees and Charges has been made to the Burial Authority; and
- (d) An application is received from and signed by the owner of the exclusive right of burial. (Where the owner is deceased a transfer of ownership must be completed before any memorial work is permitted).

(2) All memorials, including the refixing and refurbishment of memorials, must be:

- (a) constructed and erected:
 - (i) in strict accordance with the size and design approved by the Burial Authority;
 - (ii) by a Memorial Mason who is Registered; and
 - (iii) in strict accordance with the National Association of Memorial Masons Code of Working Practice;
- (b) prepared ready for fixing before being taken into the Cemetery;
- (c) erected using an appropriate foundation which where possible, must not be visible above the ground and which must be to the satisfaction of the Burial Authority;
- (d) secured into the ground using a fixing system that has been approved by the burial authority. In the case of a lawn memorial this should include a ground anchor; and
- (e) fixed in line with adjoining memorials.

(3) Memorials may be fixed or erected on any working day during normal working hours (8.00am – 3pm) excepting Saturday, Sunday and Bank Holidays.

(4) In the case of any departure from the approved design for which permission has been granted, the Grant Holder shall at their own expense, and to the satisfaction of the Burial Authority, carry out any work necessary to make the memorial comply with the approved design.

17. Memorial Mason's conduct in Cemeteries

While carrying out work within the Cemetery, all Registered Memorial Masons shall ensure they:

- (a) take all necessary precautions to protect the grass, trees, plants, walls, paths and adjacent memorials or vaults from damage. Any damage caused shall be made good at the Memorial Masons expense; and
- (b) completely remove all materials, tools and rubbish from the Cemetery when work is not in progress.

18. Memorial construction

(1) All memorials must be able to bear continuous exposure to the weather and must not be made of the following materials:

- (a) artificial stone;
- (b) concrete;
- (c) terra cotta;
- (d) porcelain;
- (e) plastic;
- (f) glass;

- (g) polystyrene; or
- (h) any other material which in the opinion of the Burial Authority is unsuitable or incongruous with its surroundings.

(2) Where provided pictures, photographs and engravings of the deceased must not exceed 150mm square in size.

19. Memorial identification

The section, grave number, and the memorial mason's name must be clearly but discreetly inscribed on the memorial base. This includes memorials that are removed for a second inscription or refurbishment.

20. Inscriptions

Where an inscription has been cut without the prior approval of the Burial Authority the Grant Holder must, at their expense, remove the memorial and apply for the Burial Authority's approval.

21. Unsafe and neglected memorials

(1) The Grant Holder shall maintain their memorial in a safe condition, of which the Burial Authority shall be the sole judge. The authority reserves the right to periodically inspect and test memorials for stability and take actions considered appropriate in order to protect public safety.

(2) The Burial Authority reserves the right to notify in writing any Grant Holder if in their belief a memorial is considered unsafe. If the Grant Holder does not comply with the notice the Burial Authority shall be entitled, at the Grant Holder's expense, to revert the memorial back to a safe condition.

22. Grave maintenance

The Burial Authority reserves the right to clear and re-instate any grave following the:

- (a) planting of any unsuitable gardens, trees or shrubs;
- (b) placing of any grave furniture that is a risk to public safety; impedes the maintenance of the cemetery or is incongruous with its surroundings
- (c) placing of any unauthorised grave surrounds.

23. Loss or damage

Memorials are placed at the Grant Holder's own risk. The Burial Authority is not responsible for loss or damage done to any grave space or memorial or injury to any person within the Cemetery, except where such damage is directly attributable to the negligence of the Burial Authority or its employees or contractors. Grave owners are advised to obtain insurance cover for their memorials.

24. Removal of memorials

(1) No memorial, or part of a memorial, shall be removed from a grave without written approval of the Burial Authority.

(2) The Burial Authority's approval of a proposed burial shall be considered consent to temporarily remove a memorial from the grave to be opened.

25. Hours of work

Except with the written consent of the Burial Authority, all works in connection with the erection or restoration of memorials must be carried out between 8:00am to 3:00pm during daylight hours.

26. Memorial wreaths

The Burial Authority, at its sole discretion, reserves the right to remove memorial wreaths placed upon a grave after an appropriate interval following their placement.

PART FIVE SPECIAL CONDITIONS

27. Rockingham Road Cemetery

- a) Unless the exclusive right of burial has been purchased, the only permitted memorial will be a vase no higher than 18 inches (460mm).
- b) In the case of an urn plot, the only permitted memorial will be a vase no higher than 9 inches (230mm).
- c) Vases must be placed no more than 3ft 3 ins (1000mm) from the head of the grave.
- d) In the case of a private grave, no headstone should extend higher than 4ft 3 ins (1300mm) above the normal level of the surrounding ground, nor be wider than 3ft 3 ins (1000mm) or thicker than 12 ins (305mm).
- e) Whether or not an exclusive right of burial has been granted, no horizontal memorial may be placed on the grave beyond the lines identified on the plans of the burial ground as the "limit of horizontal monuments".
- f) No trees, shrubs, plants or flowers more than 3ft 3 ins (1000mm) tall may be planted, placed or grown on any grave or vault, and the Council reserves the right to cut, lop or remove such plants as necessary.

28. Shire Lodge Cemetery

- a) The area of the plot/grave can be personalised by means of planting directly into the ground or by means of plants grown in pots where the pot is no more than 6 inches high above ground level.
- b) Graves may be edged by means of fencing, coping, kerbing or railings so long as the maximum height of such structure does not exceed 6 inches above ground level and the external length and breadth does not exceed the plot size.
- c) Where a grave is edged by a solid kerb etc it will be permissible to cover the plot with chippings. This type of covering is not allowed where chippings are not completely contained e.g. by open railings.
- d) No plants used to personalise a grave shall be allowed to grow in excess of 24 inches in height from ground level.
- e) No artificial flowers or wreaths etc shall be allowed to permanently remain on a grave as only natural planting is allowed to personalise a grave.
- f) Memorials erected in the cemetery must be erected vertically, in line with the headstones of adjoining graves, in a position at the head of the grave as prescribed by the Council.
- g) As soon as convenient after a burial the Council will level the whole area of the grave and seed or turf the plot where it has not been personalised. The level of any grave surface shall not be built up so as to raise it above the normal ground level around it.
- h) The Council will maintain the whole of the grassed area and will plant and maintain, as appropriate, trees, shrubs and plants. The Council may remove any plants, shrubs, wreaths, jars, vases or any other objects placed on graves not in accordance with these regulations.

PART SIX CONDUCT WITHIN CEMETERIES

29. Maintenance of graves

(1) Where a grave is personalised it is the individual's responsibility to properly maintain it, including the cutting of grass and weeding within any edging and immediately around the outside of the edging to every boundary, to the edge of adjoining graves where such boundary exists.

(2) Where, in the Burial Authority's opinion, a personalised grave is not maintained then notice will be given to remedy the situation within 28 days. In the event that a grant holder cannot be contacted, a discreet notice will be placed on the grave asking that works be undertaken within 28 days of the date of that notice.

(3) In the event of no action being taken the Burial Authority will act to maintain the grave in the most cost effective manner, which will usually be returning it to a grassed condition, removing all items of personalisation. No attempt will be made to keep any plants alive that are removed and such will be disposed of immediately, any memorials, edgings etc removed will be kept for a further period of 28 days prior to disposal at the Burial Authorities discretion.

(4) Flowers and wreaths etc will be allowed to remain on a grave for up to four weeks after a burial. If after that time there has been no obvious sign of personalisation of a grave then such items will be removed by the Burial Authority. Therefore, anything to be kept for sentimental or financial reasons should be reclaimed from the grave within four weeks of a funeral. Wreaths etc placed on graves at Christmas time will be left until the first week in February with the same conditions regarding removal applying as in the above item.

(5) All material suitable for composting e.g. floral, plant remains should be placed in the green wheeled bins, where provided, located throughout the cemetery. All other waste material should be placed in the small black bins located next to the green receptacles.

30. Responsibility for injury or damage

Responsibility for any injury or damage caused in the cemetery as a result of work done in erecting, repairing, altering or removing any memorial will be borne by the person carrying out the work or on whose behalf the work is done.

31. Vehicles

(1) Vehicles are permitted in the cemetery only during opening hours and at the absolute discretion of the cemetery staff.

(2) Any vehicles, including bicycles, entering the cemetery must:

- (a) keep within any speed limits of 5mph;
- (b) be driven with due care and attention;
- (c) comply with all directional signs;
- (d) comply with all Burial Authority employees' directions;
- (e) not use the Cemetery as a thoroughfare; and
- (f) not be taken onto grassed areas.

(3) The Burial Authority shall not be held responsible for any damage to vehicles or other property left within the cemetery.

32. Conduct within cemetery grounds

(1) No person while in Cemetery grounds shall:

- (a) wilfully create any disturbance;
- (b) commit any nuisance;
- (c) wilfully interfere with any burial taking place;
- (d) wilfully interfere with any grave memorial, or any flowers or plants; or
- (e) play at any game or sport.
- (f) ride any bicycles, skate boards or similar

(2) Children under 12 years must be accompanied by a responsible adult.

(3) The Burial Authority, at its absolute discretion, reserves the right to ask any person to leave a Cemetery.

(4) No person shall enter or remain in the Cemeteries except during Opening Hours.

33. Dogs

Dog owners shall ensure:

- (a) their dog is kept on a lead and restrained from straying off paths and drives;
 - (b) their dog does not interfere with, or disturb, any other person in the Cemetery;
- and
- (c) all faeces excreted by their dog are removed from the cemetery in an appropriate manner. Failure to do so will lead to prosecution under the Dog (Fouling of Land) Act 1996.

PART SEVEN RESERVED RIGHTS OF THE BURIAL AUTHORITY

34. Differences or disputes

Should any difference or dispute arise as to the real intent, meaning or interpretation of these Regulations, or Table of Fees and Charges, the decision of the Head of Planning and Environmental Services as the designated representative of the Burial Authority shall be final.

35. Alterations to Regulations

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

36. Rights

Corby Borough Council as the burial authority have in pursuance of their General Powers of Management contained in Article 3 (1) of the Local Authorities' Cemeteries Order 1977, made the Cemetery Rules and Regulations. These rules and regulations are to be observed in the cemeteries under the management and control of the Council.