

EASTON PARISH COUNCIL

Rules for the Management, Control and Use of Easton Cemetery

In the exercise of its powers under Section 214 of the Local Government Act and Article 3(1) of the Local Authorities' Cemeteries Order 1977, Easton Parish Council hereby and without prejudice to any of the comprehensive requirements of the aforementioned Order, makes the following rules for the proper management, control and use of the cemetery provided and maintained by it.

Title and Commencement

1. These rules may be cited as the Easton Cemetery Rules 1999 (amended June 2017¹) and shall come into operation on the first day of the month following that during which they were approved by a resolution of the Easton Parish Council.

Interpretation

2. In these rules, unless the context otherwise requires, '**burial**' includes:

- (a) the interment of cremated human remains
- (b) the interment of the bodies of still-born children or the cremated remains thereof

'**burial authority**' means the members of the Easton Parish Council for the time being

'**clerk**' means the Clerk to Easton Parish Council acting as Clerk to the burial authority

'**grave**' means a burial place formed in the ground by excavation and without any internal wall of brickwork or stonework or any artificial lining.

Notice of Burial

3. (1) Notice of any interment is to be given to the Clerk of the Burial Authority during reasonable hours. No notice may be received nor any interment take place on a Saturday, Sunday or Bank Holiday except in exceptional circumstances at the discretion of the Burial Authority.

(2) The Burial Authority will only accept notices of interment from recognised Funeral Directors. Notices will not be accepted from private individuals.

(3) Notice of interment shall be in writing. The notice should be made on the Burial Authority's form of Notice of Interment or should include all the information required on that form. It must bear the signature of the person arranging the interment as confirmation that the Council's rules relating to interments are understood.

(4) The Burial Authority will not be responsible for any delay consequent upon any notice being sent by post. Instructions, however, may be accepted by telephone provided that such instructions are confirmed by written notice within the following 24 hours or within one clear working day before the day fixed for the burial, whichever is the sooner.

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Burials

4. (1) The Certificate or Order issued by the Registrar of Births & Deaths, Coroner, Cremation Authority or Medical Practitioner shall be delivered to the Clerk without delay and no later than the day prior to the burial. Where a certificate or order has been issued but is not immediately available a declaration must be completed before the burial may proceed.

(2) The consent in writing of the owner of a purchased burial plot to an interment therein must be delivered to the Clerk with the notice of burial.

(3) No burial may take place before 10.00 in the morning or after sunset without the specific permission of the Burial Authority.

(4) Where necessary, Funeral Directors shall arrange for memorials and associated fixings, plinths and landings to be removed from the cemetery to allow graves to be reopened.

(5) Responsibility for any memorial removed in error will rest with the Funeral Director at whose expense reinstatement of the memorial will be carried out to the satisfaction of the grave owner.

(6) Reinstatement of memorials following an interment is not recommended until a period of 6 months has elapsed to allow for settlement.

Graves

5. (1) No burial shall take place, no cremated human remains shall 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 Clerk.

(2) All fees and charges listed in the Burial Authority's list of fees, payments and sums shall be paid to the Clerk before the work in respect of which such fees and charges are payable is commenced.

(3) The selection of the site for any grave space for an interment or a purchase which shall be in the sole discretion of the Burial Authority, but the wishes of the applicant will be met so far as it is practicable to do so.

(4) No body shall be buried in a grave unless it is contained in a coffin bearing a non-perishable nameplate bearing clearly the name of the deceased and the date of death.

(5) No body shall be buried in a grave in such a manner that any part of the coffin is less than two feet below the level of the ground adjoining the grave as permitted by paragraph 2 of part 1 of schedule 2 to the Local Authorities Cemeteries Order 3977 having regard to the nature of the soil in Easton Cemetery.

(6) 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 six inches thick.

(7) When any grave is reopened for the purpose of making another burial therein, no

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person shall disturb any human remains interred therein or remove therefrom any soil which is offensive.

(8) All excavation of graves within the cemetery shall, without exception, be the responsibility of the authorised Funeral Director.

(9) No coffin except a coffin constructed of wood or other approved and suitable material being of a perishable nature will be permitted. The use of lead or zinc linings is strictly prohibited

(10) No trees, shrubs or plants shall be planted on any grave.

(11) All excess material emanating from the excavation of any grave must be left in the designated place at the south eastern end of the cemetery. Mats, planks, boards or canvas are to be used to preserve the paths and adjacent graves from damage during such works.

(12) A register of burials will be kept by the Clerk and may be inspected at reasonable times by arrangement with the Clerk. Certified extracts may be obtained.

Grants of Exclusive Rights

6. (1) Exclusive rights of burial in a grave may be purchased for a period of 50 years after which all rights return to the Burial Authority unless a further period of up to 50 years is purchased at the fee current at the date of purchase of the further period. The ownership of the ground does not at any time pass from the control of the Burial Authority. However, by proper application and payment of the appropriate fee the right to erect a memorial will be granted.

(2) The purchaser of the exclusive right shall be given a certificate of exclusive rights of burial, the detail of which shall be recorded in a statutory register held and maintained by the Clerk.

(3) The certificate of rights of burial shall be considered as part of the personal estate of the purchaser and as such may be assigned in their lifetime or bequeathed by Will. Every such assignment or Probate of Will should be produced to the Clerk for the transfer to be duly registered.

(4) No body shall be buried or cremated remains scattered onto or buried in a purchased grave without the consent of the owner or a transfer of rights having been registered, except for the burial of the grave owner.

(5) Persons wishing to have a plot of ground for use as a family burial place may, with the consent of the Burial Authority, purchase two or more contiguous plots, each plot measuring 8 feet by 4 feet (2.46m by 1.23m) but in any such case the requirements of these rules shall be complied with and the duration of the rights is limited to 50 years or for a further 50 years if again purchased.

Memorials

(1) Unless rights of burial have been purchased, no memorial or memorial vase shall be permitted on any grave.

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(2) No memorial of whatever type and description will be permitted except on the conditions that such memorial is erected and remains at the owners sole risk. The Burial Authority shall not be held responsible for any damage or breakage of any kind or from any cause which may occur to the same.

(3) The Burial Authority will only accept applications for the erection of memorial from recognised stonemasons.

(4) Detailed and dimensioned drawings of proposed memorials and details of inscriptions shall be submitted to the Burial Authority on the prescribed form together with the appropriate fee. The written permission of the Burial Authority must be obtained before such memorials or inscriptions are completed.

(5) The stonemasons name and the plot number of the grave must be marked on the memorial in lettering not more than 1.6mm (5/8 inch) high.

(6) Memorials may only be of natural stone, granite, marble or wood, may span no more than one grave, and must comply with the following specifications:

Maximum height 915mm (3'0"), maximum base width 762mm (2'6") and thickness 102mm (4"), erected on a concrete plinth (foundation) buried under ground level and which must exceed the side of the base of the memorial stone by 50mm (2") all round except in the Garden of Remembrance where the maximum dimensions shall be height 601mm (2'0"), width 381mm (1'3") and a thickness of 51mm (2") erected on a concrete foundation buried below ground level.

(7) When memorials are no longer maintained in good repair or in proper condition they may be removed at the discretion of the Burial Authority. If any memorial is erected or if any work is carried out in violation of these rules the memorial may be removed at any time by the Burial Authority without notice.

(8) Where a memorial has an integral flower vase, no other container of any kind may be placed on a grave. However, where no memorial has been erected or where the memorial does not have an integral flower vase, one approved memorial vase or one non-breakable container up to 229mm (9") diameter, sunk to below ground level will be permitted on each grave.

General

7. (1) Any of the foregoing rules may be waived by the Burial Authority in exceptional circumstances.

(2) A person shall not by any violent or indecent behaviour prevent, interrupt or delay the decent and solemn burial of any body or of any cremated remains.

(3) A person shall not cause or suffer any dog belonging to him or in his charge or care to enter or remain in the cemetery unless it is kept on a lead and is not permitted to foul any grave space, memorial or footpath.

(4) The Burial Authority may alter or amend or introduce new rules at any time.

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EASTON CEMETERY

FEES, PAYMENTS & SUMS fixed and settled under the LOCAL GOVERNMENT ACT 1972, by the LOCAL AUTHORITIES CEMETERIES ORDER 1977 (No 204) and by RESOLUTION of the PARISH COUNCIL at their meeting on 22 March 1999.

The FEES, PAYMENTS and SUMS set out below apply where the person to be interred or in respect of whom the right of burial is granted was an inhabitant or parishioner of the parish of EASTON at the time of death, or, in the case of a still-born child where the parents (or one of them) were, at the time of death, such inhabitants or parishioners.

In all other cases the FEES, PAYMENTS and SUMS will be DOUBLED, except that those set out in PARTS 1 and 3 below will not be doubled where:

- (a) the exclusive right of burial in the grave in question was acquired at the single fee as set out in PART 2, or
- (b) the person to be interred had left the parish for the purpose of receiving continuous care either in the community or in an institution, irrespective of the period of that care.

¹This version was created on 20.6.17 implementing a resolution of Easton Parish Council at its meeting on 27.3.17. It: moves the Rules into electronic format; adds a clause relating to memorials; and makes a minor grammatical change.