

# TENBURY TOWN COUNCIL



## CEMETERY

### Rules and Regulations

Tenbury Town Council acting as the Burial Authority for the parish of Tenbury.

## **INTRODUCTION**

The Mayor, Town Councillors and Council Officers would like to express their sincere sympathy to you on your recent bereavement.

The Council are sensitive to your feelings at this time but hope that the provision of a well-appointed and tended cemetery will be a useful and supportive service.

Enquiries can be made via the Town Clerk on the following contact details:

Tel: 01584 810118

Email: [clerk@tenburytown.org.uk](mailto:clerk@tenburytown.org.uk)

### **1.0 BURIAL GROUND**

- 1.1 The burial ground will be open to the public from 8:00am and close at sunset.
- 1.2 Children under 12 years of age must be accompanied by a responsible adult.
- 1.3 No bicycles, dogs or other animals will be allowed in the burial ground and no disorderly person shall be permitted to enter the ground. Visitors are expected to observe a reverent manner and behaviour.
- 1.4 No person shall wilfully destroy, injure or deface any gravestones, monuments, memorial, inscription, memorial vase, plaque, seat, tree, shrub, plant or any other property within the burial ground.
- 1.5 No person shall wilfully and unlawfully disturb any persons assembled in the burial ground for the purpose of burying a body therein,
- 1.6 No person shall play at any game or sport or discharge firearms in the burial ground (save at a military funeral by permission of the Council) or commit any nuisance within the burial ground.
- 1.7 No person shall sit, stand, or climb upon or over any gravestone, headstone, monument, gate, or hedge.
- 1.8 The Town Council reserves the right to take such lawful action against any person who commits a nuisance, wilfully interferes with any burial taking place or wilfully interferes with any grave/memorial, plants, and flowers.

## **2.0 INTERMENTS**

### **2.1 NOTICES**

- 2.1.1 Notice of every intended interment in an earthen grave shall be given at least 48 hours before such interment to the Town Clerk.
- 2.1.2 Except under special circumstances no notices can be received on Saturdays, Sundays or public holidays, which must be excluded from the period of notice.
- 2.1.3 In all cases burials in purchases graves, the notice of interment must be signed by the person for the time being entitled to the Exclusive Right of Burial in such graves, signifying his or consent to such burial. When you purchase the Exclusive Right to a single or joint cemetery plot, the information you provide (personal information such as name, address, email address, telephone number) will be processed and stored so that it is possible to contact you and to respond to your correspondence and provide information relating to your burial plot if necessary. Please see the Town Council's Privacy Policy for full information. Where the owner of a purchased grave is the person to be buried, the consent in writing must be given by his or her legal successor and the Deeds shown to the Town Clerk.
- 2.1.4 Fees and charges in connection with the interment must be paid to the Town Council on giving notice of interment.

### **2.2 CERTIFICATES**

- 2.2.1 The Certificate for Burial issued by the Register of Birth and Deaths or in cases where an inquest has been held, the Certificate of the Coroner must be delivered to the Town Clerk prior to the interment.

### **2.3 PLACE FOR INTERMENT**

- 2.3.1 The selection of grave space is subject to the approval of the Council acting through the Town Clerk. The wishes of the parties interested will be met as far as possible.
- 2.3.2 All graves will be excavated and dug by a person or persons approved by the Town Council and arranged by the undertaker. The cost of the grave digging will be met by the family.
- 2.3.3 The Council reserve the right to determine the position of any unpurchased grave in the burial ground.
- 2.3.4 A register of graves and burials is held by the Town Council.

## **2.4 HOURS FOR INTERMENT**

- 2.4.1 The hours for interment in the burial ground will be between 10:00am and 4:00pm Monday to Saturday. Interments may not take place on Sundays or on public holidays, except under special circumstances.
- 2.4.2 Only one funeral shall be permitted to take place at any one time.
- 2.4.3 The Funeral Director/Undertaker or person in charge of the funeral must act under the directions of the Town Clerk as to when the funeral service may proceed, and generally in connection with the interment.
- 2.4.4 Cremated remains may be interred in the cemetery in a standard grave.

## **2.5 GRAVES**

- 2.5.1 No interment will be allowed at less depth than 6'6" (1,980mm) for a grave intended for the burial of two bodies and 4'6" (1,370mm) for a single burial.
- 2.5.2 A person shall not in the burial ground cause a body to be buried in a grave in such a manner that any part of the coffin is at a depth less than 3ft (915mm) below the level of the surface of the ground adjoining the grave.
- 2.5.3 Funeral Directors/Undertakers are responsible for engaging grave diggers and for ensuring that such agents work in a responsible and safe manner and observe all Health and Safety legislation in force at the time of the excavation.
- 2.5.4 Shoring must be used on all grave excavations.
- 2.5.5 Newly backfilled graves will settle and sink over time. New graves should be left with a mound of approximately 3 inch above ground level. This will allow the grave to settle and be levelled by the grave digger after a suitable period.

## **3.0 EXCLUSIVE RIGHTS OF BURIAL**

- 3.1 The cemetery remains the property of the local authority. The Exclusive Right of Burial of a grave space for a period of 100 years may be purchased when applying for an interment or for future use. Ownership cannot exceed one hundred years in total.
- 3.2 Grave spaces may be purchased by residents and non-residents.
- 3.3 The Exclusive Right of Burial entitles the deed holder to determine who is buried in the grave and with the Council's formal permission, to arrange for a memorial to be erected on the grave.
- 3.4 Only the owner of the grave may authorise the use of the grave or changes to the headstone. The owner is the recorded purchaser of the grave.

- 3.5 Upon payment of the appropriate fee, the purchaser of the Exclusive Rights of Burial of a grave space shall be furnished with a certificate and the particulars entered in a Burial Grants registry book to be kept for that purpose. The Grant is a legal document to be kept in a safe place.
- 3.6 If the owner of the grave is deceased then ownership must be transferred to a relative in line of succession on produce of the probate of will or other evidence, in order that the change of ownership may be registered. The owner of a purchased grave cannot transfer his or her rights to the grave space without the consent in writing of the Town Council. Rights can be transferred by the owner, or on the death of the owner.
- 3.7 For the opening of a private grave, the certificate of ownership or any assignment thereof, and the written consent of the owner must be produced on giving notice of the burial.
- 3.8 The Rights of Burial shall be exercisable for a period of 100 years from the date of purchase. At the end of the period, the right of burial can no longer be exercised and all rights relating to grave in question, and in relation to any memorial erected thereon, revert to the Town Council.

#### **4.0 UNPURCHASED GRAVES**

- 4.1 Unpurchased graves are available for those requiring burial but who choose not to purchase the Exclusive Rights of Burial. When it is desired that the interment shall take place in an unpurchased grave, the Notice of Interment must be signed by a near relative of the deceased or consent signed by a person acting on behalf of the relatives authorising the interment in an unpurchased grave.
- 4.2 Relatives of the deceased have no right to be buried in that grave, nor do they have the right to replace a memorial on the same. Whether unrelated persons are interred in the grave space will be determined by the Town Council.
- 4.3 The Council may re-open the grave for further interments at its discretion. Should the grave not have been used for a further interment, relatives of the deceased may retrospectively purchase the Exclusive Right of Burial at a later date.

#### **5.0 MEMORIALS**

- 5.1 Permanent memorials may not be installed unless the grave space has been purchased by the person applying for the memorial, the express permission of the Town Council has been received and the necessary fee paid.
- 5.2 Memorials may only be erected by authorised stone masons.

- 5.3 The stone mason will advise you on the type of memorial and apply to the Town Council for permission to erect this on your behalf. Only the owner of the grave space may apply for such a memorial and your stone mason will ask you to sign the necessary application form.
- 5.4 The Town Council reserve the right to refuse any inappropriate memorial or inscription.
- 5.5 Disturbed earth must be left for six months before a headstone can be installed. When the headstone is installed, the ground must be levelled.
- 5.6 No railings, chains or fencing of any description or any similar inappropriate item will be allowed as any part of a memorial and the Council reserves the right to remove these items when undertaking grounds maintenance.
- 5.7 No person may plant any tree, shrub, or flowers within the cemetery.
- 5.8 It is the responsibility of the owner of the grave space to keep the grave neat and tidy at all times and any memorial in good repair so that it is safe. If the owner fails to fulfil these obligations the Town Council reserves the right to make good any deficiency including, if necessary, the removal of any memorial or other object for which, when applicable, the owner will be charged.
- 5.9 The Council shall not be responsible for any damage which may occur to the same.

## **6.0 GRAVE MAINTENANCE**

- 6.1 Flowers and wreaths may be placed on the grave. The Council reserves the right to dispose of wreaths, sprays and similar fresh flowers once these have perished.
- 6.2 Flower holders must be of non-breakable material.
- 6.3 Domestic bottles, vases, jars, tins or other unsuitable receptacles for flowers will not be allowed on graves in the cemetery. Any such receptacles will be removed by the Council without reference to the owner.
- 6.4 No widening of the borders should be carried out.
- 6.5 Grass cutting will be undertaken by the Town Council's Groundsmen.