

Shirland Cemetery Regulations

All persons entering the cemetery will be subject to the orders and control of Shirland and Higham Parish Council or any person authorised by the Council.

Conduct Within the Cemetery

All persons shall conduct themselves in a decent quiet and orderly manner and are reminded of the provisions of the Local Authorities' Cemetery Order 1977 article 18(1) whereby no person shall:

- Wilfully create any disturbance in a cemetery
- Commit any nuisance in a cemetery
- Wilfully interfere with any burial taking place in a cemetery
- Wilfully interfere with any grave, any tombstone or any other memorial or any plants on any such grave, or play at any game or sport in a cemetery

Note: Under article 10 of the Local Authorities' Cemetery Order 1977, any person who contravenes article 18 shall be liable on summary conviction to a fine and in the case of a continuing offence to a fine for each day during which the offence continues after conviction thereof.

Any person found vandalising any part of the cemetery or desecrating any grave plot will be liable for prosecution by the Council under the provisions of the Local Authorities' Cemetery Order 1977.

Visitors to the cemetery shall not unreasonably interrupt the Council's employees or contractors at their duties or employ them to execute private works within the cemetery or extend to them any gratuity. All enquiries, complaints and requests by members of the public must be made to the Clerk to the Council and not to the workmen in the cemetery.

Dogs shall not be admitted to the cemetery. This rule shall not apply to a blind person in respect of any accompanying guide dog.

Children under 10 years of age are not permitted in the cemetery except under the care and supervision of a responsible adult.

No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit for orders from the same within a cemetery.

No person shall ride a bicycle, skateboard or other similar machine in the cemetery.

No person shall drop, throw or otherwise deposit and leave in the cemetery any wastepaper or refuse of any kind except in the litter bins provided.

No person shall operate any sound reproducing equipment or play any musical instrument in the cemetery without the prior consent of the Council.

No employee of the Council is to demand or receive any gratuity.

No burial shall take place and no monument or memorial shall be placed in the cemetery nor shall any additional inscription be made on a memorial without the prior consent of the Council.

No monument of any sort will be allowed to be erected or placed on any grave or in any part of the Cemetery without the consent of the Council.

Funerals should arrive on time as failure to do so may cause the interference of one funeral with another.

Fees and Charges

Fees for all cemetery services will be determined by the Council annually to take effect from 1st January each year and are available upon request to the Clerk to the Council and are published on the Parish Council's website.

All fees are payable in advance to the Council.

Interments

All requests for interment shall be made in writing in the first instance to the Clerk to the Council Council.

The **minimum** period required for receipt of all necessary documentation is **TWO WORKING DAYS***. (a scheduled interment may be postponed due to late receipt of documentation and fees)

****Shirland and Higham Parish Council shall not be responsible for any discrepancies, errors or omissions in any notice of interment or other document which is required to be given or served on the Council or for liability arising from such discrepancies, errors or omissions. The late receipt of any notice of interment or other document which is required to be given to or served on the Council or for liability arising from such late receipt.***

Hours of Interment

The standard hours of interment are 09:00 a.m. - 3:30 p.m. Monday to Friday. Interment may take place outside the standard hours and on Saturdays subject to prior approval by the Council.

Any form of service may be used, religious or otherwise, alternatively, the coffin may be committed without a service.

A certificate for disposal issued by the Registrar of Births and Deaths or a Coroners Order for Burial or a duplicate thereof must be delivered to the Council or their authorised officer by post, as soon as practicable.

No interment will take place unless the certificate for disposal is available.

In the case of an interment of cremated remains (ashes), the cremation certificate will be required for burial purposes.

In the case of a non-viable foetus, the Medical Practitioner or Midwife's certificate of delivery will be required.

All graves will be prepared by contractors employed by the funeral directors and approved by the Council.

No interment will be permitted unless the body of the deceased person is contained in a coffin considered suitable.

Every coffin must bear details of the deceased person therein and may only contain one body except in the case of a mother and her baby(ies).

No body or cremated remains (ashes) may be removed from a grave without the production of the ecclesiastical faculty and or Home Office license for exhumation required by law. Original documents will be required for this purpose.

Cremated remains (ashes) may be interred in caskets or other approved containers in conventional graves or graves for cremated remains (ashes) and must be interred by an approved funeral director or an authorised representative of Shirland and Higham Parish Council.

There is no facility for the scattering or interment of cremated remains (ashes) by individuals.

Memorial applications

A memorial may only be erected on a grave space within the cemetery subject to obtaining the Council's permission and upon payment of the appropriate fee. The right to erect a memorial rest with the Exclusive Right deed holder or their Legal Personal Representative, and will be for the unexpired portion of the grant of Exclusive Right of Burial.

Application for the approval to place a new memorial in a cemetery, alter or add any inscription, or replace, add to or remove from the cemetery any memorial must be submitted to the Council together with a drawing thereof, with the proposed inscription, and shall be submitted

to the Council by sending the drawings to the Clerk to the Council at least 14 days before the monument is to be erected in order to obtain the necessary approval. Any question touching the fitness of any inscription or the design or material construction of any monument erected or placed on consecrated ground shall be determined by the Clerk and The name, address and signature of the person placing the order for the memorial work to be undertaken must be the owner of the Exclusive Right of Burial.

No other signature will be accepted. If such owner of the Exclusive Right of Burial is deceased, the applicant must make application to transfer such exclusive rights or on production of proof of identity, make application as the Legal Personal Representative for the deceased.

The approval of the Council for any such application will be confirmed in writing and will be valid for 6 months but this may be extended at the discretion of the Authorised Officer. No works will be undertaken unless written consent has been issued. The consent is issued on the understanding that the work undertaken will comply with the details specified within the application form and the requirements of these regulations.

Anyone erecting a monument or who undertakes any Memorial work within a cemetery not in compliance with these regulations will be required to remove the said memorial and pay all costs involved.

All memorials shall be kept in repair by the owners, and in the event of any memorial falling into disrepair and the necessary repairs not being carried out within 6 months after notice from the Council, the memorial may be removed by the Council subject and in accordance with the provisions of Schedule 3 to the Local Authorities' Cemetery Order 1977.

Owners are responsible for ensuring that the graves and monuments are kept neat and tidy.

The Council reserves the right to:

- Remove, move or lay flat any memorial that has become or is likely to become dangerous or which is in a derelict or unsightly condition.
- Exclude or remove from the cemetery any memorial not executed in a workmanlike manner or from sound materials, or which in the opinion of the Council disfigure the cemetery or offend public decency.
- Remove any items placed or planted on the graves that may interfere with the grass cutting and maintenance of the cemetery grounds.
- Remove non permitted grave decorations such as balloons, solar lights, plastic fencing, bunting or similar objects.

Photographic plaques of an approved size and material may be affixed to monuments.

Railings, chains and wind chimes are not permissible on graves or monuments. No monument or fences constructed of plastic, wood, glass, ferrous metals or tiles are permitted. Any unauthorised memorial or tombstone will be removed by the Council in accordance with article 14 of the Local Authorities' Cemetery Order 1977, and shall be at the expense of the grave owner or their personal representative.

Temporary memorials in the set form of a wooden cross can be erected providing they do not exceed 914mm (3'0") in height above the ground. These must be replaced with a non-temporary memorial within 12 months of first installation.

All workmen employed on behalf of the owner of the exclusive right of burial or personal representative of such person, to erect any monument shall carry out their work strictly under the direction of the Council and shall: -

- At the cost of the owner, or personal representative, fill up and level the ground, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of work.
 - Perform the work during the normal opening hours of the cemetery.
 - Provide their own tools and equipment and complete the work with due dispatch.
 - Council must be informed in advance of the removal of any memorial from the cemetery.
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