



## Castle Hedingham Parish Council and Burial Board

### CASTLE HEDINGHAM CEMETERY, SHEEPCOT ROAD

#### REGULATIONS OF THE CEMETERY

The regulations of the cemetery are made by Castle Hedingham Parish Council as the Burial Authority. We aim to offer a peaceful place where visitors feel comfortable and at ease as they remember their loved ones in different ways. All visitors are asked to respect the feelings of others while in the cemetery. No person entering the cemetery shall behave in a manner likely to disrupt the solemn right of burial or cause offence to other cemetery users.

Castle Hedingham Parish Council aims to maintain the cemetery to a high standard with respect for the natural setting and the environment and it is expected that all visitors will contribute to this aim by observing these regulations. If clarification or approval is needed with regard to these regulations it should be addressed in writing to the Parish Clerk at [castlehedinghamparishclerk@gmail.com](mailto:castlehedinghamparishclerk@gmail.com) for consideration by the Burial Authority.

- Owners of Lawn section graves shall restrict flower containers to the plinth of the headstone or a hanging planter on the headstone. Such containers must be of a durable material, preferably metal. Glass containers are not permitted under any circumstances and plastic and ceramic containers are discouraged in all areas of the cemetery.
- Owners of ashes plots may place flower containers made of metal or wood on the memorial stone only. No items are permitted on the grass surrounding the stone.
- Where a flower vase is included in the base of the headstone, fresh flowers or stems cut from shrubs, or dried flowers may be placed in the vase.
- **Plastic or artificial flowers of any kind are not permitted in any part of the cemetery.** This is because they are not in keeping with the changing seasons of nature and the maintenance of the cemetery with respect for the environment. There are three limited exceptions:
  - 1) Poppies at Remembrance Sunday; they serve a special purpose for a limited time and will be removed during December
  - 2) Wreaths at Christmas; these will be removed at the end of January
  - 3) Wreaths at the anniversary of the death of the deceased, for a limited period of two weeks.
- On the day of a funeral, floral tributes may be placed on the grave for a limited period of time. After a period of between 3 and 6 months, any items will be removed and the grave will be levelled and seeded with grass.
- No planting of trees, shrubs, rosebushes or perennial plants is permitted in any part of the cemetery.
- **Non-floral decorations such as ornaments, solar lights, candles, wind chimes, lanterns or balloons are not permitted and the Burial Authority reserves the right to remove any item.**
- Items in good, undamaged condition which are removed from graves or ashes plots will, if possible, be placed in a container at the cemetery for collection for a limited period of one month before being disposed of.
- No dogs, with the exception of guide dogs, are allowed in the cemetery
- The scattering of cremated remains on graves or in any part of the cemetery is strictly prohibited. All ashes interments must be approved by the Burial Authority.

## **1. INTERMENTS AND NOTICE OF INTERMENT**

- 1.1.** No burial shall take place, and no cremated human remains shall be interred or scattered, without the permission of the Clerk of the Burial Authority. Notice of interment is to be given to the Clerk of the Burial Authority during reasonable hours at least two working days prior to any interment
- 1.2.** The notice of interment is to be in the form provided by the Burial Authority and must contain a statement of the full name of the deceased, the occupation of the deceased, the age of the deceased, the date of death and parish in which death occurred, the date of the intended burial and the hour, the situation and description of the grave and whether the grave has been purchased.
- 1.3.** No burial may take place before 10 a.m. or after sunset without the special permission of the Burial Authority. No interment may take place on Sunday except in very special circumstances at the discretion of the Burial Authority.
- 1.4.** A Register of Burials will be kept by the Clerk of the Burial Authority and searches may be made therein and certified extracts obtained there from at all reasonable times at the discretion of the Burial Authority.

## **2. FEES**

- 2.1.** All fees and charges, according to the prescribed schedule, are to be paid to the Clerk of the Burial Authority before the work in respect of which such fees are payable is commenced and if required the receipt for such fees and charges is to be produced to the Burial Authority or its duly appointed official before the funeral enters the lawn cemetery.
- 2.2.** The fees for interment are to be paid on giving notice of interment.
- 2.3.** The fee for a private grave is to be paid when request for the grant of deed is made.
- 2.4.** The fee for the right to erect or place a memorial on a grave to be paid on submission of an application for a permit.
- 2.5.** The fee for additional inscriptions, vases or photographs, assignments or transfers of Deed, certified copies of register entries etc., to be paid on application for same.

## **3. MINISTERS OFFICIATING AT INTERMENTS**

- 3.1.** All denominations shall make their own arrangements for the attendance of a Minister.
- 3.2.** The name and address of such Minister is to be indicated to the Clerk of the Burial Authority when giving the notice of interment.

## **4. REGISTRARS' CERTIFICATES AND CORONERS' ORDERS**

- 4.1.** The Registrar's Certificate for Disposal or the Coroner's Orders for Burial must be made available before the interment may take place.
- 4.2.** For the interment of cremated remains, the Certificate of the Cremation Authority must be made available before the interment may take place.

## **5. GRAVES: DIMENSIONS, TYPE, DIGGING etc.**

- 5.1.** The Burial Authority does not employ gravediggers and therefore the funeral director responsible for each interment must make arrangements for the excavation prior to the date of the interment. They should take note of the metal post which identifies the plot number before excavation takes place to ensure the grave to be excavated has been located correctly. Urn Burial plots are identified by their number marked on the plot flagstone. If in doubt, they should contact the Clerk of the Burial Authority for advice regarding the location of the plot before excavation takes place. They will also be responsible for the backfill of the grave by the end of the day on which interment took place.
- 5.2.** Memorials removed from graves for second or subsequent interments may be required to be removed from the cemetery until after the interment has taken place. Only with the approval of the Burial Authority will such memorials be allowed to remain in the cemetery until replacement after the interment. Memorials so removed from graves, and allowed to stay in the cemetery, must be replaced at the grave owner's expense within three weeks of the interment taking place.

- 5.3.** The space for graves shall be 270cm (9'0") by 120cm (4'0").
- 5.4.** The maximum depth for graves shall not exceed 225cm (7'6"). The minimum depth from the surface of the ground for persons of fourteen years and over shall be no less than 165cm (5'6"). For persons under the age of fourteen the minimum depth from the surface of the ground is 120cm (4').
- 5.5.** In purchased grave spaces a layer of earth of at least 15cm (6") must be left between each coffin interred therein, and at least 90cm (3'0") of earth between the top of the upper coffin and the ordinary level of ground.
- 5.6.** Coffin identification plates must be properly and permanently engraved.

## **6. PURCHASE OF EXCLUSIVE RIGHT OF BURIAL**

- 6.1.** Exclusive Right of Burial may be purchased for a period of 50 years after which all rights return to the Burial Authority unless a further period of 25 years is again purchased.
- 6.2.** Persons who wish 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 burial plots, each plot measuring 270cm (9'0") by 120cm (4'0"), but in such case the regulations herein contained and of the secretary of State must always be observed and complied with and the duration of rights is limited to 50 years or a further 25 years if repurchased.
- 6.3.** The purchase of an Exclusive Right of Burial is equivalent to a lease and the land remains the property of the Burial Authority at all times.
- 6.4.** The selection of the site for any grave space either by way of general interment or of a purchase shall be in the sole discretion of the Burial Authority, but the wishes of any applicant will be met as far as it is practicable to do so.
- 6.5.** No body shall be buried, or cremated human remains interred or scattered, in or over a private grave except by or with the consent in writing of the owner thereof. The consent is to be deposited with the Clerk of the Burial Authority at the time of giving notice of the interment.
- 6.6.** The number of interments planned for the plot will have to be disclosed at the time of the purchase of the Exclusive Right of Burial as this will determine the fee and the depth to which the first interment will be buried.
- 6.7.** The purchaser of an Exclusive Right of Burial should ensure that the Burial Authority are informed of any change in their address and contact details.
- 6.8.** The owner of the Exclusive Right of Burial is entitled to apply for permission to erect a memorial on the grave.

## **7. TRANSFER OF EXCLUSIVE RIGHT OF BURIAL**

- 7.1.** Upon the death of an owner of the Exclusive Right of Burial in a private grave, such Exclusive Right of Burial shall be forthwith transferred to the person legally entitled thereto. However it should be noted that further interments will only be approved if space remains available within the purchased plot.
- 7.2.** Any person claiming to have transferred to themselves or to any other person, the Exclusive Right of Burial as aforesaid must support such claim by the production of Probate or Letters of Administration of the estate of the deceased owner. If these are not produced then the claimant or proposed transferee must execute a formal deed indemnifying the Burial Authority against any other person claiming an interest in that Exclusive Right of Burial.
- 7.3.** A person may not transfer their Exclusive Right of Burial in a private grave to any other person without the consent of the Burial Authority. Subject to such consent, a transfer will be effected upon the surrender to the Burial Authority of the existing Deed, by the grant of a new right to the intended transferee.

## **8. MEMORIALS AND INSCRIPTIONS**

- 8.1.** All headstones and inscriptions thereon are to be subject to the approval of the Burial Authority and a copy of every proposed inscription and a plan drawing showing the form and dimensions thereof must be left with the Clerk of the Burial Authority for at least two weeks for approval.

- 8.2.** Memorials must be of a monolithic type with a plate set directly into the ground. They must be constructed in accordance with the National Association of Memorial Masons' Code of Working Practice (supporting British Standard 8415).
- 8.3.** Memorials may only be placed or erected on private graves for which an Exclusive Right of Burial has been purchased.
- 8.4.** No flat stones laid horizontally, nor memorials, metal vases, railings, fencings, kerbs or other structures enclosing graves other than headstones, wooden crosses and vases referred to below, shall be permitted to be erected on graves in the cemetery, with the exception of flat stones or plaques on Urn Burial Plots.
- 8.5.** Vases of British stone may be set in the unturfed area immediately in front of the headstone in the cemetery. Such vases shall not exceed 25cm (10") in diameter and 20cm (8") in height. Such measurements shall include the base or ground on which the vase may be placed.
- 8.6.** Headstones and crosses in the cemetery shall be erected vertically 8cm (3") from the outer edge of the unturfed plot at the head of the grave in line with headstones of adjoining graves and in positions approved by the Burial Authority.
- 8.7.** Headstones shall not exceed 90cm (3'0") in height measured from the highest point of the ground immediately adjoining, nor have a space more than 60cm (2'0") by 45cm (18") and shall be of British stone or granite. Headstones of any other material will not be allowed in the cemetery.
- 8.8.** Wooden crosses shall be constructed of two pieces of timber not less than 9cm (3.5") in width and 5cm (2") in thickness and not more than 15cm (6") in width and 8cm (3") in thickness, and when erected shall not exceed 90cm (3'0") in height measured from the ground immediately adjoining the grave, nor have a span of more than 60cm (2'0") and may be erected in place of headstones, such erection to be to the satisfaction of the Burial Authority.
- 8.9.** Any unauthorised memorials will be removed by the Burial Authority.
- 8.10.** The Burial Authority may authorise the removal of a memorial from a private grave where the Exclusive Right of Burial period has expired or if the memorial has not been maintained

## **9. MAINTENANCE OF MEMORIALS**

- 9.1.** All memorials shall be soundly constructed of good material and shall be kept in good repair, and in default thereof the Burial Authority reserves the right to take such action as the Burial Authority deems necessary to maintain the proper aspect of the cemetery.
- 9.2.** Responsibility for the maintenance and upkeep of the memorial remains at all times with the owner of the Exclusive Right of Burial. In the event of any such memorial becoming dangerous, defective or illegible, the Burial Authority may, give notice to the owner requiring them to repair or remove any such memorial. If the Burial Authority is unable to trace the owner after taking such reasonable steps as it may consider necessary for that purpose, then the Burial Authority will take appropriate action to make safe and tidy.

## **10. CONTROL AND MAINTENANCE OF THE CEMETERY**

- 10.1.** No trees, shrubs, artificial wreaths, glass or platter jars, vases or any other thing whatsoever will be permitted on the turfed area
- 10.2.** No additional items such as glass or plastic receptacles containing artificial flowers, or any other ornament shall be allowed upon grave spaces except at the Burial Authority's discretion and the Burial Authority reserves the right to remove any such items from graves together with any dead vegetation.
- 10.3.** A person shall not by any violent or indecent behaviour, prevent interrupt or delay the decent and solemn burial of any body.
- 10.4.** No person, other than an officer of the Burial Authority, shall, except for the purposes of properly attending any grave which they are authorised to tend, remove any shrub planted on any grave or any flowers or wreaths placed on any grave.
- 10.5.** A person shall not distribute any tract, business card, advertisement or literature of any kind within the cemetery.

**10.6.** No dogs are allowed in the cemetery under any circumstances.

**10.7.** A person shall not sell or offer to sell or expose for sale in the cemetery any article, commodity or thing of any kind whatsoever.

## **11. LAWN SECTION**

**11.1.** No grave in the lawn cemetery shall be raised by turbing or in any other manner above the level of the ground immediately adjoining.

**11.2.** As soon as convenient after interment of a body in the lawn cemetery the Burial Authority shall sow seed or turf over the whole area of the grave with the exception of an area 60cm (2'0") wide and 45cm (18") long of a grave space which may have a headstone or cross erected as described in Section 8 (Memorials).

**11.3.** As soon as convenient after the interment of an urn containing ashes in an Urn Burial plot, the Burial Authority shall sow seed or turf over the whole area except for an area 45cm (18") by 45cm (18") or less when required for a flat stone or plaque.

**11.4.** The Burial Authority will maintain the whole of the turfed area of the lawn cemetery and if, after a period of twelve months the plot is neglected, the Burial Authority reserves the right to turf the remaining unturfed area.

## **12. FORMS**

### **12.1. APPLICATION TO PURCHASE GRAVE SPACE**

To be completed by an applicant for an Exclusive Right of Burial independently of a burial or interment of ashes. A copy of the cemetery regulations will be issued to the applicant with the application form. On completion a Certificate of Exclusive Right of Burial will be issued by the Clerk of the Burial Authority to the purchaser of the Right.

### **12.2. NOTICE OF BURIAL / INTERMENT OF ASHES**

To be completed by the funeral director responsible for the arrangement of a burial/interment of ashes. The form will identify whether a plot has previously been purchased. If not, the application for purchase will be made through this form and a copy of the cemetery regulations will be issued to the applicant, together with a Certificate of Exclusive Right of Burial.

### **12.3. APPLICATION TO ERECT A MEMORIAL**

To be completed by the owner of an Exclusive Right of Burial for the grave on which the memorial is to be erected. If a copy of the cemetery regulations is not already held by the applicant, they will receive a copy. If the application is approved, the Clerk of the Burial Authority will sign the form and return a copy to the applicant.

### **12.4. APPLICATION FOR TRANSFER OF EXCLUSIVE RIGHT OF BURIAL**

This application is completed when an existing Exclusive Right of Burial is to be transferred to another person. In addition to the completion of the application form, the relevant legal transfer document must be completed and witnessed by a Magistrate or Commissioner of Oaths.

- a) If the existing owner wishes to transfer the Right, the Assignment of Right of Burial form is used;
- b) If the owner dies and the executor or administrator of the estate wishes to transfer the Right, the Transfer of Exclusive Right of Burial - Assent of Executor or Administrator form is used;
- c) If the owner dies intestate or the Will does not go to Probate, or if the family wishes to have the Right transferred to one or more members at a later date, the Statutory Declaration is used.

The Clerk of the Burial Authority will issue a new Certificate of Exclusive Right of Burial with the remaining period of title of the original Right confirmed. The previous Certificate should be returned to the Clerk.