

**NORTH EAST DERBYSHIRE
DISTRICT COUNCIL**

CEMETERY RULES

1. INTRODUCTION

North East Derbyshire Council manages and maintains three cemeteries. For these to be effectively managed and grounds maintained for the benefit of all who visit, it is necessary to put in place rules. This booklet outlines those rules.

These rules are made pursuant to the Council's power under the Local Government Act 1972 in respect of management of its cemeteries. The Council reserves the right to amend or add to any of these rules at any time.

The rules will apply to all burials and requests for memorials and will further apply to the restoration, repair or refitting of other memorials already contained within the burial grounds, and supplementary maintenance works of a kind undertaken by the bereaved or their agents.

For information and advice, staff may be contacted at the following:

Tele: (01246) 231111 Fax (01246) 217464

e-mail enquiry via Council's web site www.ne-derbyshire.gov.uk

Title	Extension
Cemetery Administrator	01246 217272
Grounds Maintenance Manager	01246 217285
Streetscene Coordinator	01246 217286 / 217287

The above numbers are available for contact during office hours of 8.30 a.m. to 5.00 p.m.; alternatively you may contact the Council in writing at the following address:

StreetScene Services
North East Derbyshire District Council
Rotherside Road
Eckington
Derbyshire
S21 4HL

2. **FACILITIES AVAILABLE**

Cemeteries managed by the North East Derbyshire Council are located at:

- Church Lane, Hasland
- Ashley Lane, Killamarsh
- Church Lane, Temple Normanton

2.1 **WHAT FACILITIES ARE AVAILABLE**

Hasland Cemetery

Available for burials in new and re-opened graves and burial/strewing of cremated remains.

The cemetery is divided into individual sections and there are designated areas where certain types of memorial are only permitted.

Section	Rows	Description	Conditions
A – F		Old Cemetery	Kerb sets were permissible prior to 1961.
G	1-35	Old Cemetery	Kerb sets were permissible prior to 1961.
G	36-48	Extension	Lawned cemetery only
H		Rose Garden	Cremated remains only. Memorial plaque permissible within rose bed or on memorial walls only.
J	103 – 119		Lawned cemetery
J		Cremated remains	Memorial permissible on purchased plot in accordance with cemetery rules.
K to M	Inclusive	Extension	Lawned cemetery

The cemetery contains a garden of remembrance and individual plots for cremated remains.

Litter bins are provided for disposal of floral tributes wrappings and other debris.

Water is provided on site.

Road side parking only is available and disabled access only (badges must be displayed) no parking on lawned areas is permitted.

Killamarsh (Lawned) Cemetery

Available for burials in new and re-opened graves and burial/strewing of cremated remains.

The cemetery contains a garden of remembrance and individual plots for cremated remains.

Litter bins are provided for disposal of floral tributes wrapping and other debris.

Water is provided on site and car parking facility is available.

Temple Normanton

Available for burials in new and re-opened graves and burial of cremated remains; no individual plots are available for cremated remains.

Litter bins are provided for disposal of floral tributes wrapping and other debris.

Water is provided on site.

2.2 CEMETERY RECORDS

Records of Hasland, Killamarsh and Temple Normanton may be viewed by appointment at the Streetscene Office, Rotherside Road, Eckington, S21 4HL.

If a written request or a certified extract is required, these will be provided upon payment of fee as set out in the table of fees and charges.

3. SERVICES PROVIDED BY THE COUNCIL

The Council will prepare all graves prior to the appointed burial and backfill the grave immediately following the burial.

All floral tributes which are brought to the graveside will be collected and placed on the finished grave.

If and when necessary, all graves will be provided with shoring and the surrounds covered with grass mats and liners.

Lowering webbing and surface biers are available for use by the Funeral Director. Council attendants will be present within the grounds of the cemetery and will be available to deal with any emergency situations.

Unfortunately ground settlement is unavoidable. The Council for 6-12 months after the funeral, will monitor graves ensuring soil levels are maintained.

After settlement the Council will prepare the soil surface and sow grass seed over the area, to return the area to a lawned surface in keeping with the surrounding cemetery grounds.

The Council will carry out maintenance of cemetery grounds to the highest standard possible commensurate within budgetary allowances, this will include:

- (i) Mowing of grassed areas.
- (ii) Upkeep of boundary hedges and fences.
- (iii) Maintenance of designated floral gardens of remembrance.
- (iv) Maintaining levels of the grave plots to harmonise with the surrounding lawned areas.
- (v) Cleansing of the cemetery.
- (vi) Trees and shrubs (excluding unauthorised plantings).
- (vii) Removal of spent floral tributes.
- (viii) Removal of Christmas wreaths (Please note these will be removed in late February-early March prior to the onset of grass cutting operations).
- (ix) Safety inspections of memorials.
- (x) The upkeep of accurate records of interments.

CEMETERY RULES

4. TIME OF BURIALS

Winter

Weekdays - 9.00 a.m. - 2.30 p.m.

Summer

9.00 a.m. - 3.00 p.m.

Interments are only allowed during weekends or Bank Holidays where a coroner or medical practitioner certifies that immediate interment is necessary.

4.2 VISITING HOURS

The cemeteries are open from:

Winter (Monday to Saturday)

7.00 a.m. until 6.00 p.m.

Sunday

9.00 a.m. until 6.00 p.m.

Summer (Monday to Saturday)

7.00 a.m. until 8.00 p.m.

8.00 a.m. until 5.00 p.m (Killamarsh Only)

Sunday

9.00 a.m. until 8.00 p.m.

5. **BURIAL GROUNDS**

5.1 **ANIMALS**

No animals shall be permitted within the cemetery grounds except for:

- (i) Dogs which are on a lead at all times and in full control of the owner. Dog excrement must be cleaned up and disposed of away from the cemetery.
- (ii) Horses which form part of the funeral cortege and with prior permission of the Council. At all times during the grave side service the horse(s) must be kept under full control and stationed only on the paths provided. All fouling must be cleaned up and disposed of away from the cemetery.

5.2 **VEHICLES**

Only authorised service vehicles are permitted within the cemeteries maintained by the District Council the following exceptions shall be allowed:

Hasland Cemetery – Disabled badge holders only.

Killamarsh Cemetery – Cars within the designated car parking area only.

5.3 **CONDUCT**

All persons must conduct themselves in a decent, quiet and orderly manner and shall not:

- (i) Create any disturbance or nuisance in the cemetery.
- (ii) Interfere with any burial.
- (iii) Interfere with any grave, vault, tombstone or other memorial or floral tributes.
- (iv) Play any game or sport.
- (v) Enter the cemetery when it is closed to the public.
- (vi) Deposit litter and spent floral tributes other than in the receptacles provided for such purposes.

6. **NOTICE OF INTERMENT**

6.1 Notice of interment must be arranged by telephone to the cemetery administrator, and using the prescribed forms (**Appendix A**) which must be returned to the Cemetery Administrator at StreetScene Office, Rotherside Road, Eckington , Derbyshire, S21 4HL, at least 48 hours prior to the funeral.

If the interment is required in a vault, at least 3 days notice must be given.

6.2 The period of notice required does not include weekends (Saturdays and Sundays) or Bank holidays.

- 6.3 If a grave is to be re-opened a copy of the exclusive right or deed of bequeathment will be required. If this is not available an indemnity form must be signed and returned to the Council's Cemetery Administrator.

7. FEES

- 7.1 All fees and charges are to be paid in full to the Cemetery Administrator, Streetscene Office, Rotherside Road, Eckington, Derbyshire, S21 4HL.

8. DISPOSAL CERTIFICATE

- 8.1 No interment shall take place without the Registrar's Certificate or Coroner's Order for disposal which must be presented to the Cemetery Administrator no later than 24 hours prior to the burial.

9. GRAVES

9.1 EXCAVATION AND PREPARATION

- 9.1.1 The correct outside measurement of the coffin including handles must be given on the interment form provided. The Council will add on any extra measurement as appropriate. All graves, where necessary, will be shored and the surrounds covered with grass mats. Lowering webbing and surface biers will be made available for use by the Funeral Director.
- 9.1.2 Graves will be backfilled immediately after the cortege has left the graveside, floral tributes will be placed on the grave. Floral tributes will be removed 14 days after the burial.

9.2 WHAT WE ALLOW

- 9.2.1 In the first six months after the burial has taken place floral tributes, pot plants and wooden crosses will be allowed on the grave. No fences, kerbs or other surrounds will be allowed.
- 9.2.2 After 6 months from the date of the burial the Council shall remove all unauthorised pots, floral tributes, planting material, wooden crosses and arrange for the surface of the grave to be soiled over and turfed or seeded (when weather permits) so it is in keeping with the surrounding cemetery grounds.
- 9.2.3 The Council advises, because of unavoidable ground settlement, that headstones are not placed for at least 6 months after a burial has taken place. This will allow thorough settlement to occur and reduce movement of the headstone.

9.3 EXCLUSIVE RIGHTS

- 9.3.1 This allows the person to whom the right is granted to determine who is buried in the grave and the memorial to be erected. It does not confer ownership in respect of the land concerned.

- 9.3.2 No other person shall have a right to determine who is buried in the grave or whose ashes are buried in, or strewn over the grave.
- 9.3.3 The right to exclusive burial may be assigned by deed or bequeathed by will to a relative or nominated person. Where the right has not been assigned, the Council will determine, in accordance with any relevant legislation, who will have the right to exclusive burial.
- 9.3.4 On purchasing the Exclusive Rights for burial for a grave/vault or cremated remains plot, a deed shall be issued to the person named on the interment form and covers a period of 50 years.
- 9.3.5 Following the expiry of the exclusive right of burial the purchaser, or his/her heir or successor, will have the option of renewing the exclusive right of burial up to a maximum of 30 years or a minimum of 10 years.
- 9.3.6 Applications should be made for renewal of the exclusive right of burial within 12 months of the expiry of the previous grant.
- 9.3.7 The fee payable will be calculated pro-rata, based on the number of years applied for in multiples of 10 years, utilising the fees applicable at the time of renewal.

9.4 CREMATED REMAINS

- 9.4.1 Cremated remains may be strewn or buried in the garden of remembrance or family grave upon application to the Cemetery Administrator and with the permission of the owner of the exclusive right.
- 9.4.2 All applications must be accompanied with a certificate from the crematorium.

10. MEMORIALS

- 10.1.1 All headstones, memorials, temporary grave markers, vase blocks, memorial plaques and inscriptions are subject to approval from the Council's Cemetery Administrator. Memorial approval forms are available from the Council and a copy of every inscription, measurements of the memorial and drawing of the proposed monument to be erected must be submitted prior to any permission being granted. All applications must be fully completed with correct measurements and returned to the Cemetery Administrator with the appropriate fee.
- 10.1.2 The Council operates a memorial masons register. It is a requirement that only memorial masons are employed, who are registered to work within the Council's cemeteries. No memorials may be fixed until formal written approval is given by the Council.
- 10.1.3 The issue of a right to erect a memorial is controlled by the Council and formal approval will be for a maximum period of 20 years. Following expiry of the permission the purchaser or his/her heir or successor will have the option of renewing the right subject of the memorial being in a sound and safe condition, this

shall be in accordance with the relevant national recognised installation and safety standards for memorial masonry.

10.1.4 Temporary grave markers in the form of wooden crosses are permitted on the grave for the first six months following the interment date. The Council will charge a fee, as determined by the scale of fees and charges for the erection of a grave marker. This fee will be off set against the charge of any future permanent grave memorial.

10.1.5 Following the expiry of this 6 month period, the Council may remove any temporary marker and place in storage.

10.1.6 The Council recognises the cost of providing permanent memorials, therefore, this date may be extended at the discretion of the Cemetery Administrator. This will be for a maximum of a further 6 months after which all temporary markers shall be removed.

10.1.7 All memorials must be installed to the National Association of Memorial Masons (NAMM) Code of Working Practice with a ground fixed anchor system to support the memorial. Any memorials that do not comply with the NAMM Code of Working Practice may be removed and result in action being taken against the monumental mason and/or the person holding the exclusive right.

10.1.8 Memorials, vase blocks, plaques and their inscriptions are only permitted on graves/plots with Exclusive rights.

10.1.9 All memorials must have the appropriate grave/plot number engraved into the base.

10.1.10 The maximum height of the headstone on a grave plot shall not exceed 900mm. The width shall not exceed the width of the grave space but typically should be 600mm.

10.1.11 Only one vase block shall be permissible to be placed on a grave plot. The vase must be placed within the proximity of the headstone and shall not exceed 300mm x 300mm x 300mm and be approved in accordance with Clause 10.1.1. Where a vase block is approved, the base plinth of the headstone may be extended by 300mm into the grave space to accommodate this vase block.

10.1.12 At no time must glass vases, bottles or other containers be placed on any grave or cremated remains plot.

10.1.13 When memorials are removed from graves to enable further burials to take place, all monumental masonry and foundation work, if not permanently fixed, will be removed from site by the appointed monumental mason.

Any masonry left on site will be removed by the Council into storage. The cost of such works will be recharged to the owner of the exclusive right.

10.1.14 All memorials removed, must be re-installed using the NAMM Code of Practice as identified in Clause 10.1.6. Settlement periods (6 months) must be observed.

10.1.15 The Council shall not be responsible for damage to memorials, carried out by persons other than its employees. The Council reserves the right to exercise their duty under the Health and Safety at Work Act 1974 and make temporary arrangements to make safe or dismantle unsafe memorials as detailed in Section 10.4 until such time as a repair can be made by the owner of exclusive rights appointed mason.

10.2 MEMORIALS – GARDENS OF REMEMBRANCE

10.2.1 In the Gardens of Remembrance provided by the Council only one memorial is permitted per plot. All new plots within the Garden of Remembrance will be provided with a concrete slab (600mm x 600mm). Memorials will be mounted on the concrete slab and should be typically 450mm x 450mm by 100mm high (tapering to 25mm) with integral vase, to a maximum of 600mm x 600mm x 250mm (**Appendix B**).

10.2.2 All memorial masonry must not encroach upon neighbouring plots or impinge upon the ground to the front or rear of the plot.

10.3 COMMEMORATIVE CREMATED REMAINS GARDENS (Hasland and Killamarsh)

10.3.1 All floral tributes shall be placed in the vase, block holders along the perimeter of the memorial wall or in the kerb sets provided.

10.3.2 At no time shall floral tributes be placed on the lawned areas or within the rose or shrub beds provided.

10.3.3 All memorial plaques in order to maintain a consistency will be supplied by the council and all inscriptions will be subject to approval from the Council's Cemetery Administrators, in accordance with Section 10.1.1.

10.4 SAFETY OF MEMORIALS

10.4.1 The responsibility for ongoing maintenance of a memorial rests with the owner of the Exclusive right of burial or other persons where the right has been assigned.

10.4.2 The Council has a statutory duty of care to ensure its cemeteries are safe for visitors and its employees.

10.4.3 In view of this the Council will organise an inspection of all memorials within cemetery grounds.

10.4.4 Where memorials are found to be in an unsafe condition the Council reserves the right under the Local Authorities Cemeteries Order 1977 and Health and Safety at Work Act 1974, to reduce the risk of injury to the public and its employees.

10.4.5 The severity of the risk will determine what action is to be taken, however, dismantling the memorial and laying it flat on the grave surface, or removed into storage shall be the normal procedure.

10.4.6 Where a memorial is found to be unsafe the Council will attempt to contact the owner who will be responsible for its repair. Unfortunately, difficulties can arise in tracing the owner because of relocation or assignment of the deed without this having been conveyed to the Council.

10.4.7 When the owner is untraceable the Council will display a notice on the headstone for a period of 30 days requesting remedial action be taken by the grave owner. Should no remedial action have been taken within the 30 day period or no notification of intent given to the Council then the headstone will be re-evaluating taking into consideration the risk to the public and visitors to the Cemetery. Should the risk of injury be deemed to be high then remedial action will be undertaken to reduce or remove the risk. The Council reserves the right to remove the memorial into storage or dismantled and lay the component parts flat on the grave space.

11. GARDENS ON GRAVES

11.1 All the Council's cemeteries are designated lawned areas. No gardens are permitted on the grave space following the six month grace period which allows for settlement.

11.2 Following the six month settlement period after the date of interment, the Council shall remove all unauthorised pots, floral tributes, wooden crosses and arrange for the surface of the grave to be soiled over and turfed or seeded (when weather permits) so it is in keeping with the surrounding cemetery grounds.

12. WOODLAND BURIALS

12.1 The Council currently does not offer a service for the provision of woodland burials.