



Sutton Courtenay Parish Council

OLD WALLINGFORD WAY CEMETERY RULES AND REGULATIONS

The following rules and regulations are made by the Parish Council of Sutton Courtenay in accordance with the general powers of management as provided for by the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977, promulgated as Statutory Instrument 1977 no. 204. These rules and regulations shall apply to the Old Wallingford Way Cemetery.

The Burial Authority shall be the Parish Council of Sutton Courtenay and the Authorised Officer shall be the Clerk to the Parish Council at the time. In the absence of the Clerk, the position of Authorised Officer will be held by a member of the Parish Council.

1. Notice of Interment and days performed

- (a) No burial shall take place or cremated remains be interred, and no tombstone or other memorial shall be placed in the Cemetery, and no additional inscription shall be made without first the permission of the Parish Council having been obtained and the appropriate fee paid. Permission will normally be obtained from the Clerk to the Parish Council. The selection of the grave space is in all cases in the hands of the Parish Council.
- (b) At least two clear days written notice of interment (excluding Saturdays, Sundays and Public Holidays) is to be given to the Authorised Officer on the prescribed form.
- (c) The time of giving notice is from 10.00am to 4.00 pm
- (d) Any notice received on Saturdays, Sundays or Public Holidays will be, for the purpose of Regulation 1(a) above be deemed to be given on the next working day after the day of receipt.
- (e) Any notice received after the hour of 4.00pm shall for the purpose of regulation 1(c) above be deemed to be given on the next working day after the date of receipt.
- (f) All Notices of Interment must be in writing on the forms provided by the Council and particulars of requirements must be clearly and completely stated. The responsibility for any error therein is that of the person signing the Notice of Interment form particularly so in cases where either the wrong fees are charged in consequence or where additional fees are afterwards incurred.
- (g) All Interment forms, Certificates for Burial or Cremation issued by the Registrar or Coroner's Order for Burial or Certificate of Cremation shall be delivered to the Council prior to interment.

- (h) The Council reserves the right to refuse to allow funerals where there is reason to believe the details on the Notice of Interment are incorrect if the disposal certificate is not available for inspection to authenticate the identity of the person to be interred prior to the burial or if the necessary Notice mentioned above has not been given.
- (i) All charges and fees payable for anything whatsoever in connection with the Cemetery shall be paid to the Council before an interment takes place or any work commences.
- (j) All interments shall take place between the hours of 9.00am and 4.00pm on Mondays to Fridays and on Saturdays between the hours of 9.00am and 12.00noon during the Summer months and 9.00am and 2.00pm on Mondays to Fridays, and on Saturdays between the hours of 9.00am and 12.00noon during the Winter months, unless a Coroner or registered medical practitioner certifies that immediate interment is necessary.
- (k) No interments will be allowed to take place on Saturday afternoons, or on Sundays or Public Holidays.
- (l) If it is necessary at any time to deviate from the provisions of the above regulations written application must be made to the Clerk to the Council.

2. Certificate of Registration

The Certificate of the death of the person to be buried or the Coroner's Order for the burial of a body, where an inquest has been held, must be produced before the interment takes place. In cases requiring immediate burial, the Authorised Officer is empowered to take such steps as are deemed necessary.

3. Selection of Grave Space

- (a) The selection of a grave space is in all cases in the hands of the Authorised Officer or the Burial Authority, except in the case of a second burial in a family grave space.
- (b) No grave space may be reserved in advance, except as described in 3(c) and 3(d).
- (c) The Burial Authority may grant to any person, on receipt of the prescribed fee:
 - (i) The exclusive right for a period of 40 years, to burial in a grave space or
 - (ii) the exclusive right shall be renewable for a further 40 years.
 - (iii) the right to one or more burials in any grave space which is not subject to any exclusive right of burial and
 - (iv) the exclusive right of burial in the adjoining grave space for a close relative.

- (d) No transfer of an Exclusive Right of Burial in any grave shall be deemed valid unless and until the same is verified and registered with the Council.
- (e) Cremated remains caskets will be buried in the areas designated by the Burial Authority.

4. Coffins and Grave digging

- (a) Coffins of wood or other biodegradable materials only shall be used in all graves.
- (b) All grave digging is to be organised by the Parish Council, and/or according to its direction. Removal and disposal of soil and the replacement of soil after the interment shall be as directed by the Authorised Officer. Mechanical diggers and compressors are permitted.
- (c) The grave digger shall be responsible for the provision of “greens” and with all safety regulations.
- (d) A grave space shall measure at least nine feet by four feet.
- (e) Subject to the condition of the soil, a grave shall be dug for a maximum two interments.
- (f) No part of a coffin or casket containing cremated remains shall be buried in a grave so as to be less than 3 feet below the surface of the ground surrounding the grave space.
- (g) The owner or executor shall be responsible for the removal of all tombstones and memorials on the re-opening of graves and replacement within 18 months. The cost of such removal must be borne by the owner or executor and the Burial Authority shall not be responsible in the event of a tombstone or memorial becoming broken, damaged, lost or destroyed during the work. If a tombstone or memorial is not replaced within the 18 months period, it shall be deemed that the permission granted to erect a tombstone or memorial has lapsed and a new application must be submitted.
- (h) New grave plots must be levelled at the time of interment with a reasonable amount of spoil left on the grave to allow for any subsidence. As soon as convenient after an interment the Burial Authority will periodically level and seed or turf over the grave as required. Thereafter no person other than the duly authorised officers or servants of the Burial Authority shall interfere with or alter the surface of the grave space except for the purpose of a further interment.

5. Headstones and Memorials

- (a) No monument, gravestone or memorial tablet will be allowed to be placed on any grave other than where an exclusive right of burial for 40 years has been granted.
- (b) The Burial Authority will not permit the erection or placing of any tombstone, memorial or flower container or any other thing other than at the head of the grave.

- (c) All memorials and inscriptions thereon are subject to the approval of the Burial Authority and a copy of every inscription proposed and a drawing showing the design and dimensions of every memorial proposed to be erected must be submitted for approval to the Clerk of the Council with the application on the prescribed form. The Council reserves the right to refuse any application at its discretion.
- (d) No memorial shall be placed within the burial ground, nor shall any erection be removed or replaced, or work carried out to any memorial without the written consent of the Burial Authority, and after appropriate fees (if any) have been paid.
- (e) No workmen employed in fixing, or restoring monuments or memorials will be admitted or materials received into the Cemetery on Saturdays, Sundays, Christmas Day, Good Friday, Bank Holidays or on any other day before 9.00am or after 4.00pm.
- (f) Only memorials which comply with the following regulations will be approved:
 - (i) No memorial shall exceed three feet in height.
 - (ii) The memorial shall be on a rectangular base measuring not more than three feet by one foot three inches firmly set flush with the ground so that the mower may pass freely over it, and to facilitate this, no raised part of the memorial shall be closer than three inches to the edge of the base. No memorial shall be wider than the base up to a maximum of three feet.
 - (iii) In the case of a Deskbook design, such memorials shall not exceed 6 inches in height measured from the highest point, nor 18 inches in width, nor 12 inches front to rear.
 - (iv) In the case of an ornamental memorial, where a horizontal landing forms an integral part of the memorial, the overall dimension of the landing, from front to rear, shall not exceed 12 inches. It shall not protrude more than 2 inches beyond the face of the upright portion of the memorial furthest away from the grave, nor exceed 24 inches in width.
 - (v) Any ornamentation on the landing must be permanently affixed and thereby be an integral part of the memorial landing.
 - (vi) In the case of an ornamental memorial not being a plain perpendicular slab, the overall dimension front to back shall not exceed 4 inches at right angles to a line laterally through the centre of the base.
 - (vii) The memorials shall be of Marble or Natural Stone quarried in Great Britain. (Amended to include Black granite). Alternatively imported stone may be used provided it is of similar appearance and quality and in this case approval will be at the discretion of the Burial Authority who may request a non-returnable sample of the proposed stone. No painted memorials will be permitted. No photographs or images will be permitted.
 - (viii) The memorial shall be erected at the head of the grave in alignment with other memorials in the same row.

- (ix) In no circumstances will kerbs or railings or wire fencing be permitted around a grave. No foot markers will be allowed.
 - (x) Only two vases made of either stone or metal placed at the head of the grave will be permitted. These must not encroach on grassed areas as these will restrict mowing.
 - (xi) Glass or plastic vases, jars or any object of this nature are strictly prohibited in the Cemetery. Flower receptacles should be of stone or metal.
 - (xii) In the area of the Cemetery set aside for the burial of cremated remains the only memorial permitted will be stone or marble which may incorporate a flower vase not exceeding 18 inches square set flush with the surrounding grass so that a mower may pass over it.
- (f) The position of the memorials shall be subject to the approval of the Burial Authority and the foundation thereof shall be executed to the Burial Authority's satisfaction.
 - (g) Reference to "memorials" shall, when the word occurs in the singular or plural in these regulations, be taken to include gravestones, tombstones, tablets, vases or any description, and other objects placed on land comprising part of the Cemetery.
 - (h) If any damage is caused by the bringing in of any materials or memorials, the person or persons causing the damage will be required to make it good.
 - (i) All memorials shall be finished before they are admitted to the Cemetery and no work of any kind thereon, beyond that of fixing, will be allowed within the Cemetery except an inscription which cannot be made prior to the erection of such a memorial within the Cemetery.
 - (j) No planting of any description or removal of any turf from any part of the grave will be permitted and no objects of any description will be permitted to be placed on any part of the grave other than the headstone or other memorial referred to.**
 - (k) If the Burial Authority removes from the Cemetery any tombstone or memorial placed there other than in exercise of a right granted by or otherwise with the approval of the Burial Authority, the Burial Authority may recover the cost thereby incurred by it as a simple contract debt in any court of competent jurisdiction:
 - (i) from the person to whose order the tombstone or memorial was placed
 - (ii) within two years from the placing of the tombstone or memorial, from the representative of such person.
 - (l) The Burial Authority may 40 years after burial remove to another place within the Cemetery or remote from the Cemetery for preservation or destruction any tombstone or memorial, except where an exclusive right of burial exists.
 - (m) No enclosed wreaths will be allowed to be placed on any grave nor shall any wood or metal cross be erected thereon other than a temporary marker.

- (n) A wooden marker with brass plaque may be placed on the grave space for twelve months immediately after the interment. The marker must not exceed 6 inches by 4 inches. It is to be made of a hardwood and secured on to a post of which approximately 3 inches will be above ground. The wording on the brass plaque will only give the name of the deceased and the years of birth and death. The initials RIP may also be added.
- (o) Silk or plastic flowers may be placed in an appropriate vase approved by Council, however upon becoming damaged or faded should be removed by the family or will be removed by Council staff. All dead floral tributes and wreaths will be removed from graves at the Council's discretion if the family first fails to do so.

6. Numbering of Graves

The Parish Council's reference letter and number of the grave shall appear on any memorial or flat plaque in letters half an inch high and not more than six inches above ground level. Where new memorials are not so marked, the Parish Council will arrange for marking to be carried out and re-charged. With the owners consent the mason's name may in like manner appear on the memorial, but no address or other particulars shall be given.

7. Maintenance of Memorials

- (a) All permitted monuments, gravestones, tablets, or other memorials must be kept in good repair by the owner. In the event of any such memorials etc. becoming dangerous, defective or illegible from want of repair or neglect, the Burial Authority may, in accordance with the powers and procedures set out in Articles 16(2) and Schedule 3 of the Local Authorities' Cemeteries Order 1977 and other current, pertinent legislation, give notice to the owner or owners, requiring him or them to repair or remove any such monument etc., and if, after the expiration of such notice, the owner or owners have failed to repair or remove any such defective or dangerous monument etc., or if the Burial Authority is unable to trace the owners(s) after taking such reasonable steps as it may consider necessary for that purpose, then the Burial Authority may remove same at the owners risk and expense, without right for the owner or owners to any compensation for so doing.
- (b) The Burial Authority reserves the right to reverse, refix, move, line up or place in such position as may be required, any memorial in the Cemetery.

8. Rights Reserved by the Burial Authority

- (a) The Burial Authority reserves to itself the right to pass over and temporarily cover any grave for the purpose of performing any work in connection with the interments, disinterments, or the maintenance of graves.
- (b) Owners of exclusive rights of burial shall not transfer their rights without prior written consent of the Burial Authority. The consent in writing of the owners of exclusive rights

to burial to any interments in a purchased grave or the original grant must be submitted to the Authorised Officer with the Notice of Interment.

- (c) The Burial Authority reserves to itself the right, from time to time, to revise the Rules and Regulations in respect of the Cemetery.
- (d) If any damage is done to the Council's land or premises by any cause, the person or persons doing such damage will be held responsible for the same and the Council may recover the cost of repairing such damage from such person or persons and in addition take proceedings under Article 18 of the Local Authorities' Cemeteries Order 1977 and any other current legislation.

9. Register of Burials

A Register of Burials will be kept and searches may be made and extracts obtained without charge on application to the Clerk of the Council during normal office hours. Where a certified extract from the Burial Register is required, a fee as specified in the Fee Schedule will be charged. Where a search is undertaken by the Clerk where the identity of a grave is not known a fee as specified in the Fee Schedule will be charged.

10. Cemetery Open to the Public

The Cemetery is open to the public daily from sunrise to sunset, but the Burial Authority reserve the right to itself to close the Cemetery to the public at any time before and while a burial is taking place. Dogs are permitted in the Cemetery and must remain on a lead at all times, owners must pick up after their dog(s). All visitors should keep to the walks as far as is possible and refrain from damaging trees, shrubs and flowers, and observe decorum at all times. The playing of ball, or any other games or sport within the Cemetery is strictly prohibited, in accordance with Article 18(1)(e) of The Local Authorities' Cemeteries Order 1977.

11. Admission of Vehicles

- (a) No vehicles, carriages, motorbikes or bicycles other than a hearse or motorised scooter for use by the disabled shall be admitted to the Cemetery.
- (b) Grave digger's vehicles, handcarts and biers will be allowed to enter the Cemetery with the express permission of the Burial Authority, and these shall not be allowed to remain on the ground longer than is necessary.
- (c) No cycling will be allowed in the Cemetery.

12. Fees and Other Charges

- (a) Subject to the provision of this article the Burial Authority may charge such fees as it thinks proper.

- (b) The Burial Authority shall keep a table showing the matters in respect of which fees and other charges are payable to them and the amount of each fee and charge, and the table shall be available for inspection by the public at all reasonable times.
- (c) No gratuities shall be demanded by any officer or servant, employee or contractor of the Burial Authority.