



CEMETERY RULES AND REGULATIONS

In exercise of their powers under Article 3(1) of the Local Authorities Cemeteries Order 1977 made under section 214(3) and 266(2) of the Local Government Act 1972, Earls Barton Parish Council hereby make the following Rules and Regulations for the proper management, regulation and control of the Cemetery under their control, currently being Earls Barton Cemetery, Wellingborough Road, Earls Barton.

These rules and regulations will be effective from 1 May 2014 and may be cited as "Earls Barton Parish Council Cemetery Rules and Regulations 2014". These rules and regulations shall be subject to annual review.

1. Interpretation

In these Rules and Regulations, except so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them that is to say:

- (a) "the Parish Council" means Earls Barton Parish Council.
- (b) "the Cemetery" means any of the cemeteries now or hereafter provided or taken over by the Parish Council.
- (c) "grave" means burial place formed in the ground by excavation and without an internal wall of brickwork or stonework or any other artificial lining.
- (d) "Cemetery Registrar" means the person at the time being appointed by the Parish Council to be in charge of the Cemetery.
- (e) "monument" means any monument, gravestone, tablet, flagstone, headstone, kerbstone, border stone, vase or other memorial; and includes any monumental inscription placed thereon.
- (f) "lawned area" means those parts of the Cemetery laid to lawn.

2. Conduct and Management

- 2.1 No animals shall be allowed in the Cemetery, with the exception of dogs kept on leads. Any person in charge of a dog shall immediately remove any faeces deposited in the Cemetery by that dog.
- 2.2 Children under sixteen years of age shall not be admitted except under the care of an adult.
- 2.3 No vehicles are permitted in the Cemetery, unless to allow access for disabled visitors. Other vehicles must obtain prior permission of the Cemetery Registrar. Vehicles must keep to the designated roadway and not cross onto grassed areas.
- 2.4 Hearses and funeral corteges shall be permitted with prior permission from the Cemetery Registrar.
- 2.5 The acceptance by the employees of the Parish Council of any gratuity or unauthorised fee is strictly forbidden.
- 2.6 No tree, shrubs, plants or flowers more than 3 ft (914mm) tall may be planted, places or grown on any grave, subject to the provisions of Regulations 8.7 and 9.4. Such trees, shrubs, plants or flowers shall not encroach or cause nuisance to neighbouring plots. The Parish Council reserves the right to have any such flora cut, lopped, pruned or removed.
- 2.7 The Parish Council will remove any other ornaments at any time when in their opinion the ornaments have become neglected, unsightly, dilapidated or unsafe or are in contravention of Cemetery Regulations.
- 2.8 The person by whom any work is carried out in the Cemetery, in providing, erecting, repairing or altering any monument or otherwise, shall assume responsibility for any injury or damage to the Cemetery, including any fencing, wall or other object therein, caused by, or arising out of the doing of the works.
- 2.9 The sale of goods, plants or articles, and the soliciting of orders within the Cemetery for the erection or repair of monuments or memorials, or for any other work connected with the graves, is strictly prohibited.
- 2.10 The Parish Council reserves the right to close the Cemetery or limit the entry of persons at any time.

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- 2.11 No person within the Cemetery shall act in a noisy or unruly fashion or in such a way as to unreasonably cause a nuisance or annoyance to others. No person under the influence of alcohol, drugs or exhibiting riotous behaviour shall be allowed in the Cemetery.
- 2.12 No alcohol shall be brought into the Cemetery or be left on graves.
- 2.13 There will be no smoking in the vicinity of the grave whilst a funeral service is being undertaken. With effect from 1 July 2005, there will be no smoking within the Chapel.

3. Notice of Interment

- 3.1 Notices of Interment shall be given to the Cemetery Registrar, c/o Main Road Farm, Earls Barton, Northampton, NN6 0HJ, on a form to be obtained from the Registrar and responsibility for any errors therein shall rest with the person giving Notice.
- 3.1.1 Notices of Interment shall be given three clear days before the day fixed for the burial (ie. excluding the day on which notice is given and the day on which the burial is to take place).
- 3.1.2 The Cemetery Registrar shall determine the availability of any time or dated proposed for burial, in any Notice of Interment.
- 3.1.3 Funeral Directors will forward payment with Notice of Interment. Any failure to pay could result in the suspension of services to the debtor.
- 3.2 The Parish Council will not accept responsibility for delay on any Notice of Interment being sent by post and any Notice sent by post but not received will not be deemed to have arrived.
- 3.3 Whilst notification by telephone of intention to give Notice of Interment will be accepted, the period under Rule 3.1.1 shall not be effective until proper written Notice of Interment has been received. Proper written Notice of Interment will take priority over any telephone instructions.

4. Interments

- 4.1 Subject to the provisions of these Regulations the Cemetery is only available for the interment, in accordance with these Regulations, of persons who have been resident within the village for a minimum of one year during the five years immediately preceding death. The interment of persons who have not fulfilled this requirement will be charged an additional 100% of the normal fee for interment.
- 4.2 The Registrar's Certificate of Disposal, Crematorium Certificate or, where an inquest has been held, the Coroner's Order, must be given to the Cemetery Registrar before the burial. The Interment will not proceed until the Certificate of Order is produced. Should the non production of the Certificate of Order cause such a delay that there would be disruption to another interment due to take place, the second interment would take precedent over the delayed interment.
- 4.2.1 In the case of the burial of a still-born child, there must be delivered with the body either a Certificate of Registration of Still-Birth or an Order of the Coroner.
- 4.3 Interments shall only take place between the hours of 9am and 4.30pm on Mondays to Fridays inclusive.
- 4.4 Burials may take place Saturday mornings by arrangement with the Cemetery Registrar.
- 4.5 The time named for any interment is the time that the Cortege is to be at the Cemetery.
- 4.6 No interments are permitted, other than in cases of extreme urgency, on Saturday afternoons, Sundays, Christmas Day, Good Friday, Bank Holidays or any day determined by the Parish Council as a general holiday. The decision of the Cemetery Registrar as to whether the case is of extreme urgency shall be final and conclusive.
- 4.7 On an interment taking place in the Cemetery, the relatives and friends of the deceased must make their own arrangements for the conduct of the burial service.
- 4.8 All interments shall be made with the remains within a coffin or casket.
- 4.9 The scattering of cremated remains is not permitted in the Cemetery.
- 4.10 Any traditional practices wishing to be undertaken during interment are at the discretion of the Cemetery Registrar and must be advised prior to the interment. At all times health and safety requirements will take precedence.

5. Graves

- 5.1 No grave will be excavated to a greater depth than 8 ft (2.46m).
- 5.2 The surface of the grave shall not be raised above the level of the immediately adjoining ground.
- 5.3 All graves are to be dug by personnel authorised by the Parish Council.



- 5.4 The selection of any grave space in the Cemetery is in all cases subject to the consent and approval of the Parish Council and consistent with the Parish Council's requirement for systematic interment in the Cemetery.
- 5.5 There shall be no brickwork or stonework in any grave.
- 5.6 No coffin or casket, except those made of wood or of any other perishable material, shall be placed in any grave.

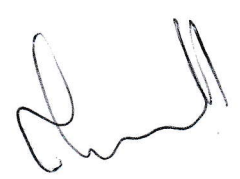
6. Grants of Exclusive Rights on Burials

- 6.1 The Parish Council will, on payment of the appropriate charges, make Deeds of Grant conferring on the grantee the exclusive right of burial for 90 years in the grave space indicated therein on the terms which will be indicated in the grant; and subject to the Parish Council's current Table of Fees, Payments and Sums (a copy of which may be obtained from the Cemetery Registrar).
- 6.2 If the person purchasing the grave of exclusive right of burial has not lived within the village for one year during the five years immediately preceding the date of purchase they will be required to pay an additional 100% on top of the normal fee for the grant.
- 6.3 If the person purchasing the exclusive right of burial is purchasing a single grave in order to inter the remains of a resident of the village then normal fees will apply. Residential status would be subject to the definition 6.2 above, immediately prior to death.
- 6.4 If the person purchasing the exclusive right of burial is purchasing any grave in which a non-resident may be interred then the conditions in paragraph 6.2 will apply.
- 6.5 Before re-opening a purchased grave, the grant of exclusive right of burial must be produced to the Cemetery Registrar or failing this, the consent in writing from the owner must be left with the Cemetery Registrar.
- 6.6 The grantee of an exclusive right of burial shall be furnished by the Parish Council with a Deed of Grant of such right.
- 6.7 An exclusive right of burial shall be considered as the personal estate of the grantee and may be assigned in the lifetime of, or bequeathed by the Will of the grantee. Every such assignment, or probate of Will, shall within six months of the execution thereof, or of probate, be produced to the Parish Council, and the entry or memorial thereof shall be made in the Registrar of Purchased Graves held by the Cemetery Registrar in the same manner as that of the original grant.
- 6.8 Nobody shall be buried in any place wherein the exclusive right of burial shall have been granted by the Parish Council except with the consent of the owner for the time being of that right, and on production of the Deeds of Grant therefore.

7. Monument/Memorial

(Monument/memorials on graves in the Lawned Area, Family Plots and Gardens of Remembrance are subject to special additional Regulations – see sections (8) and (9).

- 7.1 No monument shall be erected or placed upon a grave unless the exclusive right of burial in such grave has been purchased.
- 7.2 Monuments/memorials will be constructed and erected to the standards laid down by the National Association of Memorial Masons as a minimum standard and subject to the conditions below.
- 7.3 Written application shall be made by the grantee of the exclusive right of burial to the Cemetery Registrar for permission to erect a monument/memorial and such application shall be submitted with a sketch of such monument/memorial and the foundations with all dimensions. A copy of the inscription intended to be placed on such monument/memorial shall be submitted for the approval of the Parish Council and no monument/memorial may be erected or inscription placed thereon without such approval in writing. The Parish Council reserves the right to reject any application considered unbecoming and to remove any unauthorised monument/memorial without notice.
- 7.4 Monuments/memorials shall be made in granite or marble or such other material as the Parish Council may in its absolute discretion permit.
- 7.5 The erection of any headstone must be to the satisfaction of the Parish Council and in accordance with specifications first submitted to and approved by the Parish Council. Unless otherwise specifically agreed, the Parish Council will require that the headstone be laid upon and cemented to a slab made of the same material as the headstone and that the base of the headstone be dowelled through the slab into concrete to a depth of not less than twelve inches.



- 7.6 No palisade, chair, rail or other form of enclosure may be placed on any grave. With the exception of kerbs of a material and design approved by the Cemetery Registrar for use with the Traditional sections of the Cemetery.
- 7.7 No wind chimes, night or solar powered lights, windmills or other ornaments or decorations are allowed on any plots within the Cemetery. Any person whose faith practices require a candle to be placed on the plot, on significant days, must first apply for permission from the Cemetery Registrar and strictly adhere to any instructions given.
- 7.8 No receptacle for flowers or plants shall be placed on the grave unless it is of a type, design, shape and material approved by the Parish Council.
- 7.9 The fees payable to the Parish Council for the right to erect monument and to place inscriptions thereon are set out in the current Table of Fees, Payments and Sums available from the Cemetery Registrar. Such fees shall be payable when the consent from the Parish Council is obtained.
- 7.10 Any monument not specifically described in the current Table of Fees, Payments and Sums shall be deemed to be "any other monument" and charged accordingly.
- 7.11 All monuments when completed shall remain at the sole risk of the owner at all times and without liability to the Parish Council and the Parish Council shall not be responsible for any damage which may occur to the same.
- 7.12 The letter of any sculptor's initials, names or other marks shall not exceed one inch (25mm) in breadth or height.
- 7.13 In any case where a headstone or other similar monument is placed over a grave, a sufficient foundation construction of concrete or other approved material shall be provided.
- 7.14 All foundations, fixing and removal of monument/memorial shall be executed under the control of the Cemetery Registrar and any damage done to the fences or ground in the course of any works executed by persons other than the employees of the Parish Council, shall be repaired or renewed by such persons.
- 7.15 No hewing or dressing of stone will be permitted within the Cemetery, and all materials, monuments and memorials shall be conveyed into the Cemetery by hand or in such manner as in the opinion of the Cemetery Registrar will avoid damaging the roads or paths, and all mortar to be used in the Cemetery shall be brought in the ground ready for use.
- 7.16 If vehicles or barrows are utilised the width of the tyres must be such as will in the opinion of the Cemetery Registrar avoid any damage to the ground of the Cemetery. No vehicle or barrow shall remain in the Cemetery longer than is necessary for loading and unloading, and no vehicle, other than a hand-barrow, shall be turned off the roads. Mats, planks, boards or canvas are to be used as may be directed to preserve the grass or roads from injury by such works.
- 7.17 All rubbish, refuse, stone or other surplus or waste material, emanating from the erection, repair or alteration of any monument shall be removed from the burial ground forthwith.
- 7.18 Any person erecting a monument shall, before or as soon as possible after the erection of the same, cause the relevant section and grave number to be inscribed 2 inches (50mm) above ground level on the left-hand side of the face of a headstone and on the underneath side of the base of a vase in numerals of one inch (25mm) in height clearly and conspicuously.
- 7.19 Each monument must be kept in repair by, or for, and at the expense of the owner thereof. If after the giving of reasonable notice by the Parish Council to the owner, the necessary repairs are not carried out the monument may be removed and upon such removal will become the property of the Parish Council. If the owner cannot be traced after reasonable inquiry the Parish Council may, instead of serving personal notice on the owner:
- (a) Display the notice in a conspicuous position in the Cemetery and
 - (b) Publish the notice in a newspaper circulated in the area
- And the notice shall have effect as if it had been served on the owner on the dates of publication pursuant to item (b) of the Regulation.

8. Additional Rules and Regulations for Lawned Area and Family Plots

- 8.1 As soon as convenient after the interment of a body or interment of cremated remains, turf will be laid over the whole of the area of the grave surface except an area in a position to be fixed by the Cemetery Registrar measuring 18 inches (457mm) long and 4 feet (1.22m) wide (hereinafter called the "unsown" area).



- 8.2 The Parish Council will at its own expense maintain the whole of the turfed area of grave surfaces. Any grave that suffers from sinkage will be levelled at the expense of the Parish Council in the first instance. Any further levelling required will be at the expense of the owner thereof.
- 8.3 **Nothing whatsoever shall be placed or erected upon or about the turfed or sown area of any grave except such flowers, wreaths and plants as are permitted by Regulations 8.4 and 8.7 hereof.**
- 8.4 On the day of the funeral, flowers and wreaths may be placed on the grave in which the burial takes place and left there for seven days, after which period they must be removed by the family or friends of the deceased.
- 8.5 No monument shall be placed or erected upon or about the unsown area of any grave except such headstone and vases as are permitted by Regulation 8.6.
- 8.6 On each grave which has been purchased a headstone not exceeding 3 feet (914mm) in height above the immediately adjoin ground level and 2 feet 6 inches (762mm) in width (3 feet (914mm) at the base) and 3 inches (76mm) in thickness (12 inches (304mm) at the base) and/or vase not exceeding 10 inches (254mm) in diameter and 8 inches (203mm) in height (including the base or landing on which the vase may be placed) both of an approved material may be erected on the unsown area of the grave in a position and in the manner approved by the Cemetery Registrar. A vase may be incorporated with the headstone provided that the total base area does not exceed the prescribed sizes.
- 8.7 No tree, shrub, plants or flowers shall be planted or grown in the unsown area at the head of the grave.

9. Additional Rules and Regulations for the Garden of Remembrance

- 9.1 The Parish Council will at its own expense maintain the whole of the sown, turfed or gravelled area of the grave surfaces.
- 9.2 **Nothing whatsoever shall be placed or erected upon or about the Garden of Remembrance except such memorials as are permitted by Regulations 9.5.**
- 9.3 Floral tributes and decorations may only be placed in the vases supplied. Artificial decorations will be allowed at the discretion of the Cemetery Registrar, providing they are contained within the vases supplied.
- 9.4 No tree, shrub, plants or flowers other than those supplied by the Parish Council shall be planted in the Garden of Remembrance.
- 9.5 No monument, except those of an approved style and material, is permitted in the Garden of Remembrance. Monuments must not exceed 12 inches (305mm) in height, 12 inches (305mm) in width and 12 inches (305mm) in depth.
- 9.6 Any person erected a plaque shall, before or as soon as possible after the erection of the same, cause the relevant section and grave number to be inscribed on the underneath side of the plaque.

10. Variation

The Parish Council may at any time vary, alter or revoke any of the foregoing Rules and Regulations.

11. Table of Fees

A current Table of Fees, Payments and Sums for any interment, exclusive right of burial, placing of a monument or other matter referring to therein, may be seen by contacting either the Cemetery Registrar c/o Main Road Farm, Earls Barton, Northampton, NN6 0HJ or The Clerk to the Council at 83 Dowthorpe Hill, Earls Barton, Northampton, NN6 0PY. These fees etc, may be varied from time to time in accordance with the provisions of the Local Authorities Cemeteries Order 1977.

12. Records

- 12.1 The Parish Council holds plans showing the position of each grave. Enquiries regarding these plans should be made to the Cemetery Registrar c/o Main Road Farm, Earls Barton, Northampton, NN6 0HJ.
- 12.2 Registers of Purchased Graves and Registers of Burials are maintained for the Cemetery by the Parish Council and enquiries regarding these records should be made to the Cemetery Registrar c/o Main Road Farm, Earls Barton, Northampton, NN6 0HJ.

13. Repeal

The Cemetery Rules and Regulations previously held by Earls Barton Parish Council are hereby replaced.

