



Bishopstoke Parish Council

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BISHOPSTOKE CEMETERY REGULATIONS IN RESPECT OF INTERMENTS AND MEMORIALS

These regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate laws or statutes currently in force. Bishopstoke Parish Council, hereinafter known as the 'Council', reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

Interpretation of terms:

'The Cemetery' means the Cemetery maintained by the Parish Council known as 'Bishopstoke Cemetery'.

'The Parish Clerk' means the person for the time being holding the office by that designation under the Parish Council, hereinafter known as the Clerk with respect to the Cemetery, and any other Parish Council officer acting for the Clerk in matters relating to the Cemetery.

'Grave' means a burial place formed in the ground by excavation and without any internal walls of brickwork or stonework or any other artificial lining. Burials are not permitted in any form of brick or concrete vault or cell. All graves shall be allocated a number according to the Cemetery plan.

'Cremation Plot' means a place formed in the ground by excavation for the purpose of interring ashes and their containers. Such a place shall measure not more than 2 feet by 2 feet (0.61m by 0.61m). All plots shall be allocated a number according to the Cemetery plan.

'Purchased Grave or Cremation Plot' means a grave or cremation plot wherein the Exclusive Right of Burial (subject to these regulations) has been granted by the Parish Council. The Exclusive Right of Burial grant is hereinafter known as the burial grant. Ownership of this grant allows the owner to determine who can be buried into the grave and allows the right to erect or change/add a memorial onto the grave. The owner of a burial grant also has the automatic right to be buried into the grave, provided that there is space available.

1. **Times of Notice of Interment.** Notice of interment shall be given to the Clerk at least 2 clear working days in advance of the day of interment, excluding weekends and public holidays. Where possible burials will be accommodated at this short notice but the Council reserves the right to refuse. This regulation shall not apply upon production of a medical certificate stating that an early interment is necessary or when exceptional religious reasons exist.
2. **Insurance requirements.** Funeral directors and gravediggers must provide evidence to Bishopstoke Parish Council of public liability insurance before carrying out any work in Bishopstoke Cemetery.
3. **Proof of ownership required before re-opening.** No grave or plot for which the Exclusive Right of Burial has been purchased may be re-opened without the written consent of the owner, or their personal representative. If the burial grant has not been purchased relatives must request permission from the Parish Council to re-open a grave.
4. **Fees and Charges for Interment.** The fees and charges payable to the Parish Council in respect of interments in the Cemetery, or for purchase of burial grants, or for memorials, or otherwise in connection with the Cemetery, shall be those detailed in the Table of Fees and Charges, which shall be subject to review with fee changes taking effect from 1st April each year, or at any other time at the discretion of the Parish Council. The Table of Fees applies to all residents of the Parish or to those recently resident who qualify under those circumstances as listed in the Table. Double fees and charges are payable by all other persons. These fees contribute towards the upkeep of

the Cemetery and for regular inspections of the memorials. Those being interred who come from outside of the Parish pay higher fees as they are not contributing to the Parish Council precept which pays for the upkeep of the Cemetery. All fees and charges shall be paid in advance to the Clerk, except where the burial is for a child under 18 years of age, where fees are normally payable by the Children's Funeral Fund.

5. Graves and Cremation Plots sold subject to Regulations. All graves and cremation plots shall be sold subject to the regulations currently relating to the Cemetery.
6. Selection of Graves and Cremation Plots. Pre-purchase of graves or cremation plots is not permitted. Graves and cremation plots will be allocated in sequence unless exceptional circumstances apply when the decision of the Clerk on behalf of the Parish Council shall be final.
7. Certificate of Disposal. A legal 'Certificate for Burial or Cremation', or in the case of an inquest the Coroner's Order, shall be delivered to the Clerk before a burial takes place. A certificate of cremation shall be delivered to the Clerk in the case of cremated human remains. The appropriate document must be delivered with the notice of interment.
8. Grantee of Right of Burial. If a personal representative from outside the Parish applies to bury a resident of the Parish the fee payable shall be the same as an application from a local representative.
9. Digging of Graves and Cremation Plots. All graves and cremation plots shall be dug and reinstated under arrangements made by the undertakers. Shoring is required at all times due to the nature of the soil structure. Surplus spoil is to be placed as advised by the Council, and no spoil is to be deposited on an adjacent grave or plot at any time if there is available non grave space nearby. The memorials and grave goods on adjacent graves must be protected at all times during the interment. At the conclusion of the interment originally turfed graves are to be re-turfed, and any paving slab originally present on a cremation plot must be replaced in its original position.
10. Interment in Graves. In all graves there shall be at least 3 feet (0.92m) of earth between the surface of the ground and the top of the coffin and no coffin shall be buried in a grave in which an interment has already taken place unless the coffin containing the body is effectively separated from any coffin already placed and remaining in the grave by a layer of earth not less than 6 inches (15.3cm) in thickness and no human remains interred therein shall be disturbed nor shall any soil which is offensive be removed. The minimum depths for plots are to be 5 feet (1.53m) for single depth and 6ft 6ins (1.98m) for double depth. Coffins shall be made of suitable biodegradable materials and no metal or other non-biodegradable coffins, caskets or containers will be allowed.
11. Interment of Ashes in cremation plots. In all cremation plots there shall be at least one foot (0.31m) of earth between the surface of the ground and the ashes or top of the container and each plot shall be of a depth suitable for the interment of two sets of ashes.
12. Interment of Ashes into Adult Graves. A maximum number of 6 cremation burials shall be permitted into an adult grave. These shall be as 3 rows down the length of the grave of 2 cremation burials side-by-side.
13. Interment of more than one body in the same grave at the same time. Only the body of one adult, or the bodies of 2 children each under the age of 12 years, may be buried in any grave at the same time, unless the bodies be those of the same family.
14. Death from Infectious Diseases. In all cases of death from infectious diseases the body shall be taken directly from the hearse to the grave.
15. Coffins of Still Born Children. No body shall be received unless decently covered and placed in a coffin of suitable biodegradable material with the name of the deceased child or that of the child's parents indelibly affixed.
16. Arrival at the Cemetery. The time of any proposed interment shall first be arranged by the Funeral Director and the Clerk to the Parish Council. The time agreed shall be the expected arrival time at the Cemetery. All interments shall take place on Mondays to Saturdays between the hours of 0900 and 1530. Interments shall take place outside of these times at the discretion of the Clerk. (The exception as in clause 1 to apply.)
17. Carrying of Coffin at the Cemetery. If persons other than the staff of the Funeral Director wish to carry the coffin then they must all sign the necessary disclaimer **prior** to the carrying of the coffin. It is the responsibility of the Funeral Director to ensure that such disclaimers are completed prior to the carrying of the coffin. The disclaimer form is available on the Council website and all forms must be returned to the Council by the Funeral Director after the burial has taken place.

18. Backfilling by mourners. Backfilling is expected to be carried out by the staff of the Funeral Director. If the funeral director allows mourners to backfill the grave, all necessary health and safety precautions should be taken, and only one mourner allowed to backfill at any time.
19. Private Work. No private work shall be undertaken by visitors to the Cemetery other than general grave or plot tidying. No employee of the Parish Council is to be engaged to execute any private work in the Cemetery.
20. Exclusion or Removal of Persons from the Cemetery. The Parish Council may, at any time, remove or exclude any person from the Cemetery who shall be guilty of any breach of the regulations being in force at that time.
21. Admission of Dogs. The admission of dogs, unless on a lead, is prohibited. Dogs shall not be allowed to foul within the Cemetery.
22. Release of Balloons, Lanterns or Doves. The release of balloons, lanterns, or doves, is not permitted in the Cemetery.
23. Exclusive Right of Burial. The Exclusive Right of Burial in any grave or cremation plot shall be entered in the Register of Grants of Right kept by the Clerk. After the interment of the owner of the grave or plot, the personal representative shall produce to the Clerk the Grant of Probate or Letters of Administration, and/or other documentation as required by the Clerk, so that proof of change in ownership may be duly registered. Until satisfactory proof of ownership is given, the grave or plot cannot be re-opened and no memorial or tablet or other article may be installed or work carried out on an existing memorial, including additional inscriptions. The Exclusive Right of Burial shall last for a period of 30 or 60 years, at the expiry of which time it shall either be renewed at the appropriate fee or ownership shall revert to the Parish Council. The Exclusive Right of Burial will not be issued to persons under the age of 18. Where there are joint owners of the Exclusive Right of Burial anything requiring the permission of "the owner of the Exclusive Right of Burial" will require all owners to give permission.
24. State of General Maintenance (not including memorials). Every grave/ cremation plot shall be maintained by the burial grant owner, or family members, in good order. Should this not be the case then one month's notice in writing will be sent to the burial grant owner/any known family member, or to the occupier of the address of the last person interred if there are no known contact details, requesting that work be carried out to return the grave to good order. One month's notice will also be placed adjacent to the affected grave concerning the work required. Where no response is received, or the work has not been carried out, a further letter will be sent by recorded delivery for the Council to take over general maintenance of the plot within 14 days (excluding responsibility for the memorial if one is present). If no response is received from the recorded delivery letter the Council will carry out work to return the grave to good order. Where the burial grant is owned the cost of the work will be recorded against the grave or plot. The Council will seek to recover costs expended on behalf of the grant owner/family members at the time of the next interment or any future work to a memorial on the plot.

Where the state of general maintenance falls into such disrepair that the Council takes over maintenance of the grave plot, any items other than at the normal headstone position will be removed back to the headstone position. In such situations the Council will also level a neglected mound or make a sunken grave up to ground level.

If the burial grant owner or family members require the Council to properly maintain the grass on a particular grave/cremation plot no grave items should be placed elsewhere other than at the headstone position. If any grave items are placed elsewhere then the grass will not be maintained on that particular plot if it is not safe to do so.

Persons tending graves or plots shall be required to dispose of any rubbish removed from the grave or plot in the waste bins provided for that purpose.

25. Personal effects – items that are not permitted within the Cemetery grounds. These items will be removed from the Cemetery without prior notice.

Broken or damaged items (eg broken glass/ceramics) *(for health and safety reasons)*

Tea lights and candles which are not in containers *(for fire safety reasons)*

Immediately offensive items

Any items that are deemed an immediate health and safety risk (eg sharp metal, broken shards, damaged unauthorised enclosures)

Items of food and drink (eg full drink miniatures, beer cans, chocolate bars) *(to ensure the safety of children and to discourage rats from entering the Cemetery)*

The following may also be disposed of without notice.

Dead flower arrangements
Mouldy artificial flowers and any other mouldy items
Written items that can no longer be read
Balloons that are no longer inflated (*Note that balloons found to be flying at a level higher than the surrounding memorials may be retied at a lower height.*)

26. Personal effects – items that are not permitted within the Cemetery grounds for health and safety reasons. If found in the Cemetery during an inspection these items will be removed from the grave and placed near the waste bins for collection by the grant owner or family members within 14 days of notification, and will then be disposed of if the person contacted does not collect them within the stated time. No subsequent letters will be sent if similar items are found again on the same grave, however, such items will still be placed into the collection box for collection within 14 days, and will be disposed of if not collected in the given time.

Candles and tea lights within a container (eg within a glass, or a glazed lantern) (*for fire safety reasons. Please note that The Council will not remove any solar or battery powered lanterns or lights, provided that they are well maintained and designed for outdoor use.*)

Unbroken glass items (*for safety reasons*)

Covers for flowers made out of wire mesh which have protruding pieces of metal wire (*for safety reasons, as they may cause injury to any person, or animals coming into contact with them as they attempt to eat flowers*). If more practical, the cover may be left on the grave concerned whilst attempts are made to contact the burial grant owner/family members.

27. Personal effects – items to be discouraged from placement in the Cemetery, and for which removal will be considered on a case-by-case basis. Where possible any items removed by the Council will be placed near the waste bins for collection by the grant owner or family members within 14 days of notification, and will then be disposed of if the person contacted does not collect them within the stated time.

Any easily breakable items (excluding glass, which is covered under regulation 26.) (*for health and safety reasons*)

Shrubs, plants and flowers (*these are to be discouraged on graves as they attract deer to the Cemetery, which will eat both the living plants and cut flowers, and the roots can damage adjacent memorials or prevent future burials*). The Parish Council reserves the right to remove, prune and cut down any previously planted shrubs, plants or flowers, which in its opinion have become unsightly, overgrown or dangerous.

Items which may cause upset or offence - the Cemetery is an area for quiet reflection for many persons and unusual adornments such as balloons, plastic attractions or other personal effects, placed upon the grave or plot of a deceased may cause upset or offence to other visitors. Consequently, such items are to be discouraged and the Parish Council reserves the right to remove any items which in its opinion may cause offence in any way. Example items include wind chimes or any items above the acceptable height of the surrounding headstones.

Wooden crosses no longer installed in the ground but left horizontally on the grave. This can cause upset to other visitors and the Council will write to the burial grant owner/family members to request that the cross either be removed or correctly installed back into the ground. Any wooden cross found to be rotting, or deteriorating to the extent that it is about to become a danger for health and safety reasons, will be removed by the Council after 14 days notice of removal has been given to the burial grant owner/family members.

Items placed on the grave which are deemed likely to cause injury - these will be removed from the grave by the Council and placed for collection by the waste bins. The Council will give 14 days notice for collection to the grant owner/family members, and will dispose of the items if they are not collected within the stated time. An example of such an item would be a metal hook at such height that it may come into contact with people's faces.

Any other item which the Council deem should be removed from the grave and placed for collection by the waste bins – in such cases the decision of the Council shall be final.

28. Christmas items and wreaths. Christmas items will be removed at the general annual tidy up of the Cemetery, for which one month's prior notice will be given by means of a notice placed on the Cemetery noticeboard.

After the notice period all items obviously related to Christmas will be placed for collection in or around the collection box if artificial (eg tinsel or Christmas decorations) for a period of 14 days before disposal. All Christmas decorated miniature fir trees will also be placed around in or around the collection box for a period of 14 days before disposal. All wreaths will be gradually disposed of when the majority of the living part has died. Artificial wreaths will be left on the plot unless the contents are obviously related to Christmas when they will be placed in or around the collection box for a period of 14 days before disposal.

Any living wreaths or flower arrangements which could be interpreted as a winter flower arrangement rather than a Christmas flower arrangement, will be left on the grave. Any miniature fir trees that have not been specifically decorated for Christmas will also be left on the grave.

29. Grave Enclosures. From 1st May 2021 no form of grave enclosure will be permitted for new interments except for authorised kerbsets – this will include interments where an existing unauthorised enclosure is removed for the reopening of the grave. Authorised kerbsets are stone memorials installed by a suitably qualified memorial mason after a memorial permit has been issued by Bishopstoke Parish Council. Unauthorised enclosures include those made from plastic, metal, wood, any other form of stone not purchased through a memorial mason, and any other materials which have been used to enclose all or part of a grave and which have not been installed by a suitably qualified memorial mason under a memorial permit. Examples of unauthorised enclosures include wooden fencing, metal railings, chain, and garden stone edging.

All unauthorised enclosures on graves where interments have been carried out on or after 1st May 2021 will be removed by the Council following notification to the burial grant owner or family members at their last known address. Where there is no known address for a specific person, and the burial grant owner is deceased, a letter will be sent to the address of the last person interred to ask for details of family members if known by the current occupier.

One month's notice will be given to remove the unauthorised enclosure. If no response is received within this period, a recorded delivery letter will be sent to any last known address of the burial grant owner/family members, informing them that if no contact is made within 14 days the unauthorised enclosure will be removed. The letter will indicate that the removal cost will be recorded against the plot with the aim of resolving full or partial payment at the time of a further interment or when further work is requested to be carried out on a memorial. If there is no reply as a result of the recorded delivery letter the Council will arrange for the removal and record the costs against the plot concerned. The recorded delivery letter will also indicate that the enclosure will be held for collection, if practical, by the grant owner/family members within 14 days of the advised removal date, and will then be disposed of if not collected within that time. Enclosure contents (such as stone or wood chippings, pebbles or artificial grass) or broken, rusting or otherwise damaged enclosures, will not be kept for collection. The Parish Council will seek to recover removal costs at the time of the next interment or future work to a memorial on the affected grave.

Unauthorised enclosures on graves where interments were carried out prior to 1st May 2021 will be permitted to remain on the graves until such time as the enclosure becomes a health and safety risk, when the Council will follow the same procedure as outlined in the preceding paragraph for unauthorised enclosures on graves where interments have been carried out on or after 1st May 2021.

30. Trees. Trees, including dwarf trees, shall not be planted into the ground of graves or cremation plots, as such trees can encroach on the graves, and the tree roots can damage adjacent memorials or prevent future burials. One month's notice will be given to the burial grant owners/family members to remove the tree. Where there is no known address for a specific person, and the burial grant owner is deceased, a letter will be sent to the address of the last person interred to ask for details of family members if known by the current occupier. If no response is received the Council will remove the tree after the notice period.
Dwarf fir trees planted into a suitable container with no roots into the ground, are permitted, provided that the height of the dwarf tree remains below 2 feet (60cm).

The planting of young trees in memory of a deceased is no longer allowed.

31. Memorial seats. The placing of a memorial seat in memory of a deceased is no longer allowed. If an existing memorial seat needs replacing the Council will make every effort to contact the family concerned to discuss arrangements for a replacement.
32. Work to be executed to the satisfaction of the Parish Council. All work in the Cemetery shall be executed to the satisfaction of the Parish Council and undertaken by suitably qualified persons.
33. Regulations for the Erection of Memorials. Memorials can only be erected upon issue of the necessary permit from the Parish Council and with the written consent of the burial grant owner for the grave or plot concerned. The purchaser of any grave or cremation plot shall, when erecting a memorial, place such memorial in the position determined by the Parish Council. Regulations for the erection of memorials are at Annex A and shall be complied with by all memorial masons executing work on memorials.

34. State of Repair and Removal of Memorials. Every memorial shall be kept in good repair by the owner. On default by the said owner (if the owner fails to keep the memorial in a good state of repair), and after two months' notice having been given in writing of the need for work to be carried out, the Council reserves the right to have the memorial put in good and safe order at the expense of the owner. Where the owner of the Exclusive Right of Burial cannot be traced at the time of carrying out the work, any costs expended in order to make safe the memorial shall be borne by the Parish Council and attached to the grave or plot. The Parish Council will seek to recover such costs at the time of the next interment or future work to a memorial on the plot. Regulations relating to memorial inspections and repairs are shown in further detail in the Council's 'Policy on Memorial safety in Council cemeteries and maintained closed churchyards'.

The Parish Council reserves the right to refix, realign or remove any memorial as may be required. Any such work shall only be carried out by an approved memorial mason. Broken cement beds for chippings shall be removed and the enclosed turfed over.

35. Register. Applications to search the Register of Burials shall be made to the Clerk. Searches can also be made on Eastleigh Borough Council website's Cemetery database for details more than two years old, if recorded.
36. Exhumations. Exhumations are only permitted by lawful permission from the appropriate authorities.
37. Clauses. In cases where any question or controversy arises from the foregoing clauses, or anything omitted therefrom, the decision of the Burial Authority shall be final and binding.

By Order of Bishopstoke Parish Council
22 September 2020

Annex A

REGULATIONS FOR THE ERECTION OF MEMORIALS AND FOR WORK TO BE CARRIED OUT ON AN EXISTING MEMORIAL IN BISHOPSTOKE CEMETERY

1. Memorials may only be erected upon issue of the necessary permit from the Parish Council and with the written consent of the owner of the Grant of Exclusive Right of Burial for the grave or plot concerned. Any work carried out on an existing memorial will also require a Parish Council permit and the written consent of the owner of the Grant of Exclusive Right of Burial for the grave or plot concerned. This grant is also known as the 'burial grant'.

Where the burial grant has not been purchased the Council will not give permission for a new memorial to be erected, or for an existing memorial to be either amended or replaced (an example of an amendment is to add an additional inscription). Permission will only be given to replace an existing memorial if no changes have been made to the memorial before it is replaced. Alternatively, the burial grant can be purchased from the Council when submitting the application to erect/amend a memorial on a grave for which the burial grant has not previously been purchased.

2. All new memorials and memorial maintenance work shall only be undertaken by suitably qualified masons and to the satisfaction of the Parish Council. Memorial masons must provide evidence to the Council of public liability insurance of at least £5 million.
3. All memorials shall be erected and remain at the sole risk of the owner. Those seeking to place a memorial in our Cemetery should be aware that any items placed in our Cemetery may be affected by soil movement or animal activity, as this is a rural cemetery with a largely sandy soil structure. A sketch of each proposed memorial giving full details and dimensions, together with the owner's consent, is to be submitted to the Parish Council on the application form supplied by the Clerk. **No memorial may be erected in the Cemetery without the written consent of the Clerk.** No memorial shall be removed or altered without the written consent of the owner and the Clerk except as otherwise provided (for example on health and safety reasons).
4. All memorials are to be of natural stone and no Bath, Caen, or other soft stone, or reconstituted stone, shall be allowed in the construction of any memorial. All monumental work shall be finished prior to the erection of any memorial, excepting the execution of a second inscription for which permission must be obtained. Exceptionally, hard wood crosses may be installed at a height not to exceed three feet (0.91m) and wooden crosses may be installed temporarily pending erection of a stone memorial on a grave. No memorial of any design shall exceed 3 feet 6 inches (1.07m) in height. Permitted sizes for memorials for different sized grave plots are shown on the back of the memorial application form.

5. Ground anchors used must meet the BS8415 standard and be suitable for the sandy soil conditions. This includes ground anchors where a memorial is to be reinstated.
6. If jointed memorials are erected, joints should be able to withstand a force of 25 kg against the memorial, and be fitted using mechanical bolting/lock down systems or new jointing resins, and as prescribed in the most up-to-date appropriate industry code of practice.
7. Memorial masons and others, prior to fixing memorials, shall furnish themselves with all appropriate tools and necessary appliances and comply with any regulations issued by the Parish Council.
8. Memorial masons and others employed on any kind of work in connection with memorials in the Cemetery are to remove all spare soil and leave the ground clean after completing their work and each grave is to be re-turfed to an acceptable standard. Memorial masons will be held responsible for any damage caused by them either on the ground or to the memorials erected thereon.
9. All memorials and any parts or part thereof which have to rest in or upon the ground, or upon any brick, stone or other foundations, shall be fairly squared and bedded off. The Parish Council reserves the right to reject applications for memorials with stones of uneven thickness or with corners knocked.
10. The top surface of every foundation stone shall be at least 2 inches (5.1cm) below the level of the highest point of the surrounding turf.
11. All work on memorials shall be completed during the hours of 8.00 am and 5.00pm on weekdays excepting Saturdays when work must cease at 12.00pm. No work shall be undertaken during an interment or on Public Holidays.
12. The erection of memorials will not be allowed during unsuitable weather or whilst the ground is in an unfit state.
13. No rails, wooden edging, chains of any description, or glass wreath cases shall be allowed as part of any memorial.
14. For cremation plots, the minimum thickness of a memorial up to 20inches (50.8cm) high shall be 2 inches (5.1cm).
15. Second bases shall be securely fastened to the bottom by dowels or other approved methods.
16. No advertising boards, tablets or cards, shall be placed on or around any monumental erection nor shall any form of advertising be displayed in any part of the Cemetery.
17. The memorial mason shall mark the reverse of the memorial in the lower right corner with the plot number in letters no higher than 2 inches (5.1cm). The memorial mason may also inscribe the name of the company on the reverse of the memorial in the lower left corner in letters no higher than 2 inches (5.1cm). Any inscription on kerbs/posts for a kerb set must be specified on the application form. Placement of the grave number and name of the memorial mason is only acceptable on the back of the headstone and is not acceptable on the kerbs/posts of the kerb set.
18. Where the owner applies for an inscription which refers to a person who is not interred within the Cemetery, that inscription must contain the words 'resting elsewhere' or their equivalent.
19. **All memorials shall be fixed according to BS8415 and the relevant Codes of Practice or Guidance that are fully compliant with this standard (including the BRAMM blue book and the National Association of Memorial Masons Code of Working Practice). Memorials being re-fixed must also be re-fixed to BS 8415. All memorial masons undertaking work in the Cemetery shall be suitably qualified.**
20. Clauses. In cases where any question or controversy arises from the foregoing clauses, or anything omitted therefrom, the decision of the Burial Authority shall be final and binding.

By Order of Bishopstoke Parish Council
22 September 2020