

WALTHAM ST LAWRENCE BURIAL GROUND

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WALTHAM ST LAWRENCE BURIAL GROUND RULES AND REGULATIONS

A Regulations

Made by the Parish Council of Waltham st Lawrence under the Local Authorities Act 1972 and the Local Authorities Cemeteries Order 1977

B Introduction

1 *There are three areas of the Burial Ground (see attached plan):-*

Section A

where discreet kerbs, railings, edging and flat stones shall still be permitted until the area is full

Section B

where graves will be laid out, managed and maintained as a lawn cemetery

Section C

where plaques will mark the interment of ashes and a memorial garden will be available for the scattering of ashes

2 *All areas and surrounds are maintained by the Council who reserve the right of passage over all graves for all purposes connected with the Burial Ground*

3 *Graves shall be arranged 'head to foot'*

4 *Burial Ground users are warned of uneven ground surfaces and to take care*

5 *Dogs shall not be allowed on the Burial Ground unless on a lead*

6 *Music (other than for the purpose of a ceremony) , games and inappropriate behaviour shall not be permitted*

C Definitions

7 *The following words and expressions shall have these meanings assigned to them:*

- *'The Council' means the Parish Council of Waltham st Lawrence*
- *'The Burial Ground' means the Burial Ground in Halls Lane, Waltham st Lawrence, established and administered by the Council*
- *'Grave' means the burial space formed in the ground by excavation*
- *'Grave Space' means the space formed by the grave and the Memorial*
- *'Rights of Burial' results from the purchase of the grave space for 75 years*
- *'Deed of Grant' means the form that is given to the purchaser of the right of burial by the Clerk*

D **Exclusive Rights of Burial or Ashes Plot**

- 8 *The Exclusive Right of Burial for a period of 75 years may be purchased in respect of a grave space allocated by the Council after the death of a person whose burial grave is to be first used. This grave space or cremation plot shall be on a 'next in line' basis (or see 9 below)
Grave spaces may be used for the interment of Ashes Caskets – up to a maximum of 6 no caskets per grave*
- 9 *A grave space or cremation plot may be specifically pre-selected on payment of the fee. Such reservations shall be for 10 years (renewable)*
- 10 *The notice of interment shall be given on the official form and shall be accompanied by the prescribed fee. Such application for the Deed of Grant shall be made to the Clerk to the Council.*
- 11 *If the notice of interment is signed by a person other than the registered owner of the right of burial, the applicant shall:-*
 - i. *produce written authority of the registered owner for the interment to take place*
 - ii. *if the registered owner is deceased, produce evidence satisfactory to the Clerk to the Council of the death and execute an instrument which shall be supplied by the Clerk to the Council indemnifying the Council against any claim which may be made against the Council or their officers in respect of the opening of the grave*
 - iii. *where the Deed of Grant has been lost or mislaid or where the written consent of the registered owner cannot conveniently be obtained, the burial shall be allowed to proceed only if evidence satisfactory to the Clerk to the Council is produced and the applicant executes an instrument of indemnity as in (ii) above*
- 12 *No Deed of Grant shall be issued in the name of the undertaker or firm of undertakers or a partner in such a firm unless evidence satisfactory to the Clerk to the Council is submitted that the grave is required for use by the applicant as a private individual and not for the purpose of his business*
- 13 *The transfer of right of burial in a grave or cremation plot (owing to death or otherwise) must be registered and the deed produced to the Clerk to the Council*
- 14 *The right of burial in an earth grave or cremation plot shall be dependant on the Deed of Grant being produced*
- 15 *The person having charge of the funeral shall make all arrangements with the clergyman or minister who it is intended shall officiate*
- 16 *The Registrar's certificate for disposal or the Coroners Order when an inquest has been held shall be produced to the Clerk to the Council at the time of the interment*

E **Earth Graves and Ashes Plots**

- 17 *The position and dimensions of all earth graves and ashes plots shall be approved by the Clerk to the Council or the Parish Councillor responsible. A full grave shall be 7ft 6inches (2.29m) long and 3ft (0.92m) wide and an ashes plot shall be 12" (0.30m) x 16" (0.41m)*
- 18 *Each earth grave space shall be 4ft (1.22m) and 9ft (2.75m) long*
- 19 *In Section B of the Burial Ground the grave will be a levelled, grassed and maintained by the Council, no sooner than 6 months after the burial*
- 20
 - a) *No part of the coffin will lie above 3ft (0.92m) from the ground surface or below 7ft (2.13m) from the ground surface. Because of the level of the water table, a maximum of 2 interments shall be allowed*
 - b) *Where an interment has already taken place in the grave no further coffin shall be allowed in that grave unless separated by a 6" (0.15m) layer of earth*
- 21 *After interment no body shall be removed unless there has been produced to the Clerk of the Council the faculty or licence required by law*
- 22 *Dimensions for caskets to be used for the interment of cremated remains, must not exceed 12ins (0.30m) x 8ins (0.20m) x 12in (0.3m) high. Caskets must be placed at least 12 inches (0.30m) below the ground surface*

F **Memorials**

- 23 *Memorials shall conform to BS 8415 specification for Memorials and Monuments in Burial Grounds*
- 24 *Whilst all reasonable care will be taken to avoid damage to headstones, kerbing, plaques and flowers, neither the Council nor any other person working in the Burial Ground on behalf of the Council can be held responsible for any damage or loss caused howsoever it is caused*
- 25 **Section A of the Burial Ground**
 - i. *Applicants wishing to provide edging, kerbs, rails or flat stones shall submit full details comprising drawings, inscriptions and specifications of the materials to the Council for discussion and approval. Particular attention shall be paid to the foundation and fixing of the main headstone*
 - ii. *A number and/or letter to identify the grave shall be cut in $\frac{3}{4}$ inch (0.02m) figures in an appropriate place*
 - iii. *Memorials shall be erected by or on behalf of and shall remain the sole responsibility of the person named in the application referred to in (10) & (11) above. The Council shall not be responsible for any injury or*

- damage caused thereby
- iv. However the Council reserves the right to take appropriate action should any memorial become dislodged and potentially dangerous. The Council shall endeavour to contact the owner should this become necessary
 - v. Memorials shall not be installed for a minimum of 6 months following the burial so as to avoid movement of the memorial due to ground settlement

26 Section B of the Burial Ground

- i. The memorial shall be of natural stone
- ii. The memorial shall be rectangular, substantially rectangular or in the form of a cross
- iii. The dimensions of the rectangular memorial stone will not exceed 3ft (0.92m) high and 2ft (0.61m) wide and will be between 2in (0.05m) and 4 in (0.10m) inches thick
- iv. The dimensions of the cross will not exceed 3ft (0.92m) with a shaft of between 2in (0.05m) and 4in (0.10m) thick. If there is a plinth base, then this will not exceed 21 in (0.54m) wide and 9in (0.23m) depth. The back base of the plinth shall be flush with the back of the shaft. The top of the plinth will be level with the ground surface
- v. A plain separate slab shall be placed immediately in front of the memorial, provided that it is made of the same material. It shall not exceed 2ft (0.61m) in width, nor extend more than 18 in (0.46m) from the back of the memorial. The top of the slab will be level with the ground surface.
- vi. A plot of earth in lieu of slab (see v above) can be used for planting flowers or shrubs (see 30i)
- vii. A memorial cannot be erected without prior approval of the Council and the appropriate fee having been paid.
The application for a memorial should include:
 - a drawing of the proposed memorial
 - a description of the materials to be used
 - details of the foundations and the intending fixing of the memorial
 - details of the dimensions
- viii. Paragraphs 25 (ii), (iii), (iv) and (v) above apply

27 Section C of the Burial Ground

- i. The plaque shall be of a natural stone
- ii. The plaque shall be 12 inches (0.30m) x 24 ins (0.61m) and may include a vase hole
- iii. The top of the plaque shall be at ordinary ground level
- iv. No plaque shall be put in place without prior approval of the Council to whom details shall be submitted comprising a drawing showing the dimensions, inscriptions and description of the material to be used and the appropriate fee duly paid
- v. Paragraphs 245 (ii), (iii) and (iv) above apply
- vi. The scattering of ashes in the rose oval is permitted free of charge. However, a bronze plaque 5" x 3" (12.7cms x

7.6cms) with an angled stem stake) may be arranged through the Council for the appropriate fee. The Council will also approve the inscription

G Flowers and Plants

- 28 *Flowers (both artificial and cut) plants and small shrubs shall be permitted – but trees shall not be permitted*
- 29 *Vases and baskets shall not exceed 10 inches x 10 inches (0.25m x 0.25m) in plan not more than 8 inches (0.21m) in height*
- 30 Section B only
- i. *annual plants or small shrubs may be planted in the earth plot immediately in front of the memorial – such a plot shall measure no more than 2 ft (0.61m) wide and no more than 18 inches (0.46m) from the back of the memorial*
 - ii. *where a separate slab (see 26 (v) is in place vases may be put on the slab*
- 31 *It is the sole responsibility of the owner of the grave space to infill sunken ground to normal ground level and to maintain their flowers and plants. Any grave space that becomes overgrown or neglected will be filled with top soil and grassed over at the discretion of the Council*
- 32 *Any broken containers, poor condition artificial flowers or dead cut flowers may be removed by the Council*
- 33 *The Council reserves the right to remove any flowers, wreaths or articles which have been placed upon a grave when a burial has taken place and which have remained there for twenty one days*

H Times and Days

- 34 *Interments shall be allowed between 9.00am and 6.00pm from Monday to Fridays inclusive and between 10.00am and 12.30pm on Saturdays*
- 35 *No interments shall be permitted on Bank Holidays or outside the hours in (see 34 above) above save by prior arrangement with the Clerk to the Council and the payment of an additional fee*
- 36 *Not less than 48 hours notice exclusive of Saturdays, Sundays and Public Holidays shall be given to the Clerk to the Council prior to any interment. In exceptional cases the Clerk to the Council will be authorised to accept shorter notice on payment of the prescribed additional fee*
- 37 *Work on memorials shall not be carried out after sunset or 5.30pm whichever is the earlier, on Monday to Fridays inclusive or after 12 noon on Saturdays. No work shall be allowed on Sundays or Public Holidays*

I **Fees**

- 38 i. *The fees shall be shown in the Appendix to these regulations*
- ii. *Fees not shown in the Appendix shall be subject to special arrangement with the Council*
- iii. *The Council reserves the right to revise the fees from time to time*
- iv. *All fees must be paid prior to an interment*
- v. *Cheques shall be payable to Waltham st Lawrence Parish Council*
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- 39 i. *The fees in the Appendix refer to residents of the Parish. The term resident covers those living in the Parish immediately prior to death or at the time Rights are granted. It shall also include those who lived in the Parish for a minimum period of 5 years ending less than 5 years prior to death – or at the discretion of the Council*
- ii. *Fees in the Appendix shall be doubled for non residents*
- iii. *The decision of the Clerk to the Council as to whether a person is resident or not shall be final*