



STURMINSTER NEWTON TOWN COUNCIL

Cemetery Regulations

Introduction and legal basis

1. Sturminster Newton Town Council is the burial authority for the civil parish of Sturminster Newton in Dorset. These Regulations apply to the cemetery at Newton, Sturminster Newton.
2. These Regulations are made for the better management, regulation and control of the cemetery, in accordance with the Local Government Act 1972 and the Local Authorities' Cemeteries Order 1977 ("the Order"). Consecrated ground within the cemetery is also subject to regulations made by the Chancellor of the Diocese of Salisbury ("the Chancellor's Regulations"). If there is any conflict between these Regulations and either the Order or the Chancellor's Regulations, the Order or Chancellor's Regulations will prevail.
3. Any power or discretion reserved to the Council under these Regulations, the Order or the Chancellor's Regulations may be exercised by the Council, a committee of the Council, or an authorised officer or employee.

Access to the cemetery

4. The cemetery may be entered between sunrise and one hour after dusk, subject to the following restrictions:
 - a. Children under 10 years of age should be accompanied by an adult;
 - b. The Council reserves the right to restrict access to the cemetery;
 - c. Dogs must be kept on a lead in the cemetery.

Interments

5. Interments will normally take place between 9.30am and 4.30pm, Monday to Friday.
6. At least 72 hours' notice, excluding Saturdays, Sundays and public holidays, must be given before any interment. Notice must be submitted on the form prescribed by the Council and delivered to the Council Office at Old Market Hill, Sturminster Newton DT10 1FH.
7. The notice form must be properly completed and all fees paid when the notice is delivered. Responsibility for any error in the form or fee calculation rests with the person giving notice. No interment may take place while fees, charges or required information remain outstanding.
8. Unless otherwise agreed by the Council, coffins must be interred with the deceased's head at the western end of the grave, facing east.
9. The person arranging the funeral is responsible for making arrangements with the gravedigger and the clergyman, minister or other person who is to officiate. The Council accepts no responsibility for these arrangements.
10. The Registrar's certificate for disposal, or the Coroner's order where an inquest has been held, must be produced to the Council at or before the time of interment.

Exclusive rights of burial

11. The exclusive right of burial may be purchased for 50 years in respect of a grave space allocated by the Council. The right may be extended in 25-year increments when the remaining period is less than ten years, but only by the person or persons registered with the Council as the current owner or owners. No more than four people may be registered as owners of an exclusive right of burial at any one time.

12. Applications for the grant or extension of an exclusive right of burial must be made on the form specified by the Council and accompanied by the prescribed fee.

13. Any transfer of an exclusive right of burial, whether due to death or otherwise, must be registered with the Council and the Deed produced. On the death of the grantee, the successor's title will be registered when satisfactory evidence of title is produced and the prescribed fee is paid.

14. The right of burial in a private grave, being a grave for which the Council has granted an exclusive right of burial, may be exercised for any interment subject to these Regulations. If the Notice of Interment is signed by someone other than the registered owner, the applicant must:

- i. produce the written authority of the registered owner for the interment to take place; or
- ii. if the registered owner is deceased, produce satisfactory evidence of death and, except where the interment is of the registered owner, arrange registration of the transfer of the right of burial to the applicant in accordance with paragraph 13.

Graves and grave spaces

15. All graves must be dug and all interments carried out by an approved professional. Graves must be dug from the centre line of the earth plot, on either side as necessary, to achieve the required length. After burial, earth must be replaced and kept level with the surrounding area, and any surplus earth removed from the cemetery.

16. After interment, remains must not be removed unless the Council has received the faculty or licence required by law from the necessary authorities.

17. As soon as practicable after burial, the grassed part of each grave will be levelled and maintained by the Council as lawn. Fences, enclosures, stones and chippings are not permitted. No planting may be made directly into the grave space. The only items permitted on graves are memorials complying with paragraphs 23 to 40 and one suitable pot or vase containing a small plant or cut flowers.

18. The Council may remove any item placed on a grave which is not permitted by these Regulations, has become broken or unsightly, or obstructs maintenance.

Council staff and authorised contractors

19. Council employees must not carry out private work within the cemetery.

20. Other persons may carry out work in the cemetery only with the Council's prior consent, which may be subject to reasonable conditions, including evidence of adequate public liability insurance and suitable risk assessments and method statements.

21. No person may wilfully impede, obstruct, disturb or interrupt any Council officer or worker in the proper discharge of their duties.

22. Council employees must not demand or accept gratuities.

Memorials

23. Memorials installed in the cemetery must comply with the National Association of Memorial Masons Code of Working Practice, BS8415 specification for memorials and monuments in burial grounds, and the Chancellor's Regulations where they apply.

24. A memorial may only be placed on a grave space where an exclusive right of burial has been granted for that grave space.

25. No memorial may be erected until the Council has granted permission following receipt of the prescribed application form, signed by the rights owner and accompanied by the prescribed fee. Where the grave is in consecrated ground, any separate approval required under the Chancellor's Regulations must also be obtained. The application must include a drawing showing the memorial's form, dimensions, proposed material and inscription.

26. Dates included in memorial inscriptions may only relate to the remains interred in the cemetery.

27. Imagery must not cover more than 20% of the whole headstone or plaque, including the front and back.

28. Imagery designs and inscriptions may use no more than two colours.

29. Raised beds must not be constructed on graves.

30. New memorials must be made from materials suitable for continuous exposure to the weather.

31. Stones, rails, chains, solar lights and any other item used to enclose or mark out a grave space are not permitted.

32. Every memorial must be firmly set on a concrete foundation, with the top of the foundation at ground level. The foundation must be at least four inches thick and four inches larger than the memorial base in all directions.

33. Memorials on grave spaces for coffin burial must not exceed 2 feet 4 inches (700mm) in width, 1 foot 4 inches (400mm) from front to back and 3 feet (900mm) in height, and must be at least 3 inches (75mm) thick.

34. All memorials, including any inscribed vase treated as a memorial, must show the grave space reference number on the rear side near the base. The stonemason's name may also be inscribed there in characters no more than three-quarters of an inch high. Advertisements are not permitted.

35. Joints must be adequately dowelled with copper bars at least 6 inches (150mm) long and 1 inch (25mm) in diameter.

36. The only items permitted on a grave are the memorial and one suitable pot or vase containing a small plant or cut flowers, as set out in paragraph 17. Vases and containers must be durable and kept on the concrete plinth in front of the memorial or incorporated into the memorial stone.

37. Memorials are installed and remain at the sole risk of the person granted permission for installation. The owner is responsible for any damage to the memorial and for any injury or damage caused by it. The Town Council is not responsible for loss or damage.

Garden of Remembrance memorials

38. Headstones in the Garden of Remembrance must not exceed 20 inches (500mm) high, 16 inches (400mm) from front to back and 24 inches (600mm) wide.

39. Memorials must not be altered after installation, and no additional inscription may be added, unless the Council has given consent in accordance with paragraph 25.

Council powers and maintenance

40. The Council reserves the right to:

- a. remove any plant, flower, wreath or article which has become unsightly or overgrown, is not permitted by these Regulations, or needs to be removed to allow a grave to be used or maintained;
- b. temporarily take down any memorial that may be unsafe or dangerous during excavation of an adjoining grave;
- c. take down any memorial which, in the Council's opinion, has become unsafe;
- d. refuse to approve any proposed memorial design or inscription that does not comply with these Regulations, the Order or the Chancellor's Regulations;
- e. pass over graves for purposes connected with the cemetery; and
- f. revise these Regulations and fees from time to time.

Fees and residency

42. All fees and charges must be paid before any interment or memorial installation takes place.

43. Parish residents will be eligible for the reduced fee where one is specified.

44. Charges are based on the residency of the deceased for interments and memorials, and on the residency of the purchaser for exclusive rights of burial. Persons who are not resident in the civil parish of Sturminster Newton will pay full fees, except where:

- a. the death occurs within three years of the person ceasing to be resident in the parish;
- b. the interment is for a stillborn child or a child not more than one month old; or
- c. the person dies in hospital outside the parish, but their last previous residence was within the parish.

45. The Council's decision on whether a person is resident in the parish is final.

Approved on:

Review due: