



ALCESTER TOWN COUNCIL

Globe House, Priory Road, Alcester
Warwickshire, B49 5DZ
Tel: 01789 766084
Email: clerk@alcester-tc.gov.uk

THE BURIAL AUTHORITY

Alcester Cemetery

Rules and Regulations

2020

INTRODUCTION

Alcester Town Council welcomes all visitors to its cemetery and asks that visitors respect the peace, dignity and reverence of the facilities as well as other users.

We thank you in advance for your consideration. The Rules and Regulations in the following pages have been drawn up by the Town Council to ensure that the cemetery is managed and used in a sensitive and appropriate way for everybody. These are communal spaces for quiet reflection and remembering our loved ones.

DEFINITIONS

1. The following words and expressions shall mean as follows:

The Council means Alcester Town Council

The Cemetery means the Cemetery provided by the Council and situated in Birmingham Road

Exclusive Right of Burial means a lease of a burial plot or cremation plot in the Cemetery

Grave means a burial place formed in the ground by excavation having earthen sides and being without any artificial lining of brickwork, masonry or other materials.

Grave ornament means an ornament specially designed for placing on a grave and not being designed and intended only as a container for cut flowers.

Clerk means the Clerk to the Council for the time being, whose office is situated at Globe House, Priory Road, Alcester, B49 5DZ, telephone 01789 766084.

Grounds staff means the Grounds staff of the Cemetery

OPENING TIMES

2. **Clerk to the Council's office** 9.00am until 1.00pm Monday to Friday

The Cemetery The Cemetery is not routinely staffed and grounds staff will only be present by prior appointment. The Cemetery is open all hours for pedestrians. There is no vehicular access.

In accordance with Health and Safety legislation the Council reserves the right to temporarily close the Cemetery to carry out necessary work to ensure public safety.

INTERMENTS

3. The Cemetery is for the interment of Alcester residents who, at the time of death or immediately before their death permanently resided within the parish of Alcester. This shall apply to persons who at the time of death were resident in hospital, a home for the elderly or hospice etc. who immediately prior to that residence were residents of Alcester parish.

4. Burial plots may not be purchased in advance.

5. The sites of interments in graves in respect of which an Exclusive Right of Burial has not already been granted will be selected by the Clerk.

6. Any grant of the exclusive right of burial in a grave space which is assigned by deed or bequeathed by will must be notified to the Clerk by the person to whom the right has passed.
7. No burial may take place before 9.00am or after 4.00pm without the special permission of the Clerk. The time appointed must be the time when the funeral is to arrive at the Cemetery, which must be punctually observed.
8. No burial shall take place on a Saturday, Sunday or Bank Holiday without permission of the Clerk.
9. Notice of interment, on the form provided by the Clerk's office, must be given at least 48 hours (excluding Saturdays, Sundays and public holidays) before the interment.
10. If the owner of a grave as stated on the Exclusive Right of Burial is deceased, a reassignment of the Exclusive Right of Burial will be required. Please contact the Clerk for further information.
11. On every opening of a grave in respect of which the exclusive right of burial in the grave space has been purchased, the Deed of Grant of Exclusive Right of Burial must be produced to the Clerk on giving notice of burial, together with the written consent of the purchaser and where applicable the person to whom the right has been transferred.
12. All fees and charges are to be paid to the Council; in the case of an interment, at the time of giving notice, and in all other cases before the work in respect of which they are payable is begun.
13. In accordance with Section 1 and 5 of the Births and Deaths Registration Act 1926, the Registrar of Births, Deaths and Marriages certificate for disposal or the Coroner's order for burial where an inquest has been held, must be given to the Clerk at least one day before the funeral. In the case of a stillborn child a certificate or Coroner's order is required.
14. Grave spaces will be marked with an identification marker by the Clerk prior to grave digging. The excavation of the grave is the responsibility of the funeral director who will ensure that the grave digger works in a responsible and safe manner and observes all Health and Safety legislation and codes of practice in force at the time of excavation. All excess soil will be removed from the Cemetery by the grave digger.
15. Vaults are not permitted as a form of burial within the Cemetery.
16. Not more than one body shall be buried in any grave unless a layer of earth at least 1 foot (30cm) thick shall be left between each coffin in that grave and the top of every coffin in any grave other than a vault shall be at least 3 feet (91cm) below the surface of the ground.
17. Only wooden or biodegradable coffins shall be used.
18. No coffin shall be buried at a greater depth than six feet and six inches without the Clerk's permission.
19. Burials at which more than 50 persons may be expected should be notified to the Clerk in advance to allow for appropriate arrangements to be made.
20. If a funeral arrives late the interment will take place as soon as possible and at a time as directed by the Clerk.

CARE OF GRAVES

21. All gravestones and monuments on a purchased grave must be kept in repair by the owner or owners thereof. Any person carrying out work of any kind on a grave shall take such steps as may be necessary to protect the adjoining graves, memorials, grass, trees, plants, paths and all persons from injury.
22. If the exclusive right of burial has been granted in any grave space the surface of such grave will be kept in order and maintained by the Council.
23. The Council will not be responsible for damage to any monument or gravestone through any cause whatsoever.
24. The Clerk shall be at liberty to maintain, repair or remove from a grave any article which is or has become unsafe or unsightly and in particular may remove any flowers which have deteriorated (this includes artificial flowers).
25. No person may plant shrubs or plants on any grave in the Cemetery except with the permission and under the control of the Clerk. Where permission is granted the Clerk may at any time after the grant of permission trim or remove such shrubs or plants if such action is considered desirable.
26. Mounding of graves or the removal of turf from graves or its surroundings will not be permitted as this hinders maintenance.
27. The use of chemicals on graves and grass surrounds is prohibited.
28. The Council reserves the right to remove any monument, memorial, border stone or foot stone from any grave when such removal is deemed by the Clerk to be necessary for the carrying out of an interment in an adjoining grave. The Council will however replace the same and make good any damage, which may have been caused during such removal and replacement.
29. The Council reserves the right, without notice, to allow a grave digger to place a soil box on a grave next to one which is being opened. The grave digger will remove the soil box immediately after the interment and will make good any damage caused.

MEMORIALS

30. Except as otherwise permitted by the Clerk only one grave stone, monument or permanent grave ornament is permitted on any grave.
31. No grave stone, monument or grave ornament shall be erected or placed on any grave without the prior approval of the Council.
32. Only headstones not exceeding 3'3" (99cm) high by 2' (61cm) wide by 15" (38cm) deep and flower vases not exceeding 18" (46cm) high will be allowed.
33. In areas set aside exclusively for the burial of cremated remains, memorial stones are permitted either flat or inclined, of a standard size, 18" x 15" (45cm x 38cm) incorporating if desired a receptacle for flowers or potted plants.
34. Drawings of every grave stone, monument or grave ornament together with a copy of any inscription shall be submitted in writing to the Clerk.

35. No receptacle or other article for cut flowers other than a vase shall be placed upon any grave without first having been approved by the Council. Anything placed contrary to the regulations may be removed.
36. Grave stones and monuments or grave ornaments of Caen, Bath or other soft stone or any artificial materials or substance will not be permitted without the prior consent of the Clerk.
37. With permission, a photo plaque is permitted on a headstone provided that the image is only of the person interred; the image does not exceed 9 cm by 7 cm; the image is encased in a sealed unit produced by an approved manufacturing process and the plaque is securely affixed to the headstone.
38. Kerbs and kerbing sets are only allowed by special permission from the Town Council. They must be kept in good order and maintained by the grave owner. If for any reason the kerbings are not kept in a good state of repair and are being poorly maintained the Town Council reserves the right to remove them (without notice).
39. No grave stone/memorial shall be erected by anyone other than an approved stonemason.
40. No hewing or dressing of stones will be permitted within the Cemetery and all materials for graves, monuments or grave ornaments shall be conveyed into the Cemetery in such a manner, under the direction of the Clerk, to avoid damage to the ground and walks. All refuse, soil, rubbish and materials shall be removed under the direction of the Clerk.
41. No advertisement shall be put upon any grave stone, monument or grave ornament or on the kerbs of any grave except that the name only of the monumental mason may be inscribed in letters not exceeding half an inch (13mm) in height.
42. A foundation base 3 feet x 1.5 feet (91cm x 46cm) shall be provided for all headstones to which the headstone shall be securely affixed. All headstones shall be affixed in accordance with BS8415 and the National Association of Memorial Masons recommended Code of Practice.
43. All headstone bases and other bases, landings and underbearings shall be sited and placed into position under the direction of and to the approval of the Clerk.
44. The work of erecting or renovating gravestones, monuments and grave ornaments is not permitted on Saturdays or Sundays.
45. All gravestones, monuments and grave ornaments shall be kept in repair by the owner and if not so kept in repair may be repaired or removed by the council at its discretion and at the expense of the owner.
46. Gravestones, monuments and grave ornaments will be allowed only on graves in respect of which there is an exclusive right of burial.
47. Trees may only be used as commemorative planting in the Cemetery with permission.
48. Commemorative benches may be purchased and sited within the Cemetery by arrangement with the Clerk.
49. The use of wooden or other temporary crosses is not permitted after one year of the date of burial. After this date the Council has the right to remove them.

50. The Council reserves the right to test memorials for safety and stability as an ongoing programme. Where memorials are identified as being unsafe the Council will take action to remove the risk.

51. Children under 12 years of age will not be admitted to the Cemetery unless under the care of a responsible adult.

52. Dogs are not permitted in the Cemetery (except guide dogs) provided that as the sole exception to this regulation dogs are permitted for those persons using marked routes for access to Abbey Fields at the rear of the Cemetery provided that such dogs are kept on a short lead and do not cause a nuisance to other users of the Cemetery.

53. Cycling, skateboarding and the like is not permitted.

54. Motor vehicles are not permitted without the permission of the Council.

55. In the event that any damage is caused to memorials, buildings, turf, plants, trees etc. by vehicles, the owner of the vehicle shall be liable for the cost of its repair or replacement.

56. The playing of radios, music or any musical instruments in the grounds of the Cemetery shall not be allowed without the permission of the Clerk.

57. Visitors shall not prevent the grounds staff from carrying out their duties nor employ them to carry out work within the grounds of the Cemetery.

58. Gratuities shall not be given to staff.

59. No person shall distribute advertisement and business cards or literature of any kind nor solicit orders within the Cemetery or at the entrance either for themselves or on behalf of any other person.

60. Where the Council removes any item, memorial or any other object to ensure compliance with regulations, the Council will not be responsible for their safekeeping, nor if as a result of their actions any damage occurs to the item removed.

61. Whenever it is expected that large number of people may be likely to damage the flowerbeds or shrubs in the Cemetery, the Clerk shall be empowered to close the Cemetery for such time prior to the arrival of the funeral as they shall consider necessary and to keep the same closed and refuse to allow the public to enter the Cemetery for such time during and after the interment as they may consider necessary.

62. No person shall do anything that is likely to cause offence to any other person lawfully using the Cemetery.

63. The Council reserves the right to make any alterations to these regulations which they may deem necessary.

64. In the case of a difference of opinion, the Council's word is final.

OFFENCES AND PENALTIES

65. By the provision of Article 18 of the Local Authorities Cemeteries Order 1977 it is enacted that:

a) No person shall

- i) wilfully create any disturbance
- ii) commit any nuisance
- iii) wilfully interfere with any burial taking place
- iv) wilfully interfere with any grave or vault, any tombstone or any memorial, or any flowers or plants or any such matter
- v) play at any game or sport

b) No person not being an Officer or Servant of the Burial Authority or another person so authorised by or on behalf of the Burial Authority shall enter or remain in the cemetery at any hour when it is closed to the public.

66. Any person who contravenes the above enactments shall be liable to a fine not exceeding £1000 and in the case of a continuing offence not exceeding £100 for each day during which the offence continues.

The updated Rules and Regulations, approved by Alcester Town Council, shall come into effect on 2nd December 2020 and from that date shall supersede all previous rules and regulations made in respect of the cemetery.

MRS. V. LOWE

**Town Clerk
Alcester Town Council**

**Alcester Town Council
Globe House
Priory Road
ALCESTER
B49 5DZ**

Telephone: 01789 766084