

WARWICK DISTRICT COUNCIL

CEMETERY REGULATIONS

1. The following regulations shall apply to the cemeteries situated at Kenilworth, Leamington Spa, Milverton and Warwick provided by the Warwick District Council, and to any cemetery to be established by the Warwick District Council after the adoption of these regulations.

In these rules and regulations, unless the context otherwise requires, the following expressions shall have the meaning assigned to them.

Council	means the Warwick District Council.
Cemetery	means any place provided by the Council for the interment of human remains and any reference to the Cemetery shall refer to any or all of the cemeteries to which these regulations apply.
Supervisor	means the Council's Cemetery Supervisor or other designated employee of the Council.
Grave	means a burial place formed in the ground without any internal wall of brickwork or lining.
Vault	includes underground burial places of every description except graves to which the word grave as interpreted above applies.
Public Grave	means a grave in which several interments may take place from different families in which no exclusive right of burial will be granted by the Council.
Private Grave/Vault	refer to burial places wherein the exclusive right of burial is granted.
Memorial	means any object on which there is, or is proposed to be placed any inscription relating to a deceased person, and which is, or is proposed to be placed in the cemetery in accordance with these regulations.
Grave Space	means that area allowed by the Council for establishment of a grave.
Inscription	means a reference on a memorial to one deceased person, whether that person be interred in the grave or not.

Additional Inscription	means each inscription, inscribed after the first inscription, to one other deceased person, whether that person be interred in the same grave or not.
NAMM	means the National Association of Memorial Masons

2. The Cemetery will be open to the public on such days and during such hours as the Council may from time to time determine.

At the time of adoption of these regulations by the Council the cemetery will be open during the following hours.

Official Summer Time 8.30 am – 8.00 pm

Remainder of year 8.30 am – 5.00 pm

Sundays, Good Friday

Christmas Day and Public

Holidays 8.30 am - closing as above.

Any unauthorised entry when the cemetery is closed to the public contravenes the Local Authorities Cemeteries Act 1977, Section 18 (2).

3. A. All persons entering the cemetery will be subject to the orders and control of the supervisor.
- B. All persons shall conduct themselves in a decent, quiet and orderly manner and are reminded of the provision of the Local Authorities Cemeteries Order 1977, section 18 (1) below.

No person shall:

- a) Wilfully create any disturbance in a cemetery.
 - b) Commit any nuisance in a cemetery.
 - c) Wilfully interfere with any burial taking place in a cemetery.
 - d) Wilfully interfere with any grave, walled grave or vault, any tombstone or other memorial, or any flowers or plants on any such item or
 - e) Play any game or sport in a cemetery.
- C. Visitors to the cemetery shall not unreasonably interrupt the Council's employees at their duties, or employ them to execute private work within the cemetery, or extend to them any gratuity.
- D. No dogs, except Assistance Dogs, are to be brought into the Cemeteries at any time. For the purpose of these regulations, the term "Assistance Dogs" includes guide dogs for the blind, hearing dogs for deaf people and support dogs for disabled people."

4. Children under the age of 12 years will not be permitted in the cemetery unless in the care of a responsible person.

5. No person shall solicit orders within the cemetery.
6. Cycles and motor cycles may be left at the entrance gates of the cemetery, and shall not be taken further into the cemetery
7. Motor vehicles may only enter the cemetery in the following cases:
 - a) For funeral purposes or whilst accompanying a funeral.
 - b) For the delivery of materials relating to interments, maintenance or memorials.
 - c) With the authority of the Supervisor and subject to his directions.

Any person using a motor vehicle in the cemetery shall only do so on a carriageway suited to the purpose, except with the consent of the Supervisor.

Vehicles must not exceed a speed of 5 mph in any cemetery.

Interments in the Cemeteries

8. In the cemeteries, sections have been set apart for burials according to the rites of the established Church of England, the Roman Catholic Church and the rites of other faiths.

In the sections of the cemetery consecrated according to the rites of the established church, burials will only be permitted:

- A In accordance with the rites of a Christian denomination or
- B Without any religious service

Provided that any service performed must be respectfully conducted.

9. Interments may take place only in accordance with these regulations, and between the hours of 9.30 am and 3.00 pm British summertime and 9.30 am and 2.30 pm British wintertime., Monday to Friday. No interment will be permitted on Saturday, Sunday, Good Friday, Christmas Day or on Public Holidays. The time for an interment is that at which the funeral must be in the cemetery.
10. Verbal arrangements for the interment may be made at the Cemeteries Office during normal office hours and during any additional hours which may be arranged from time to time during holiday periods and/or via the Council's website.

Three clear working days notice will be required in all cases where interment is to take place in an earthen grave, and where interment is to be made in an existing vault or brick grave, the period of notice required will be extended to four clear working days. All verbal arrangements made for interment must be confirmed in writing within 24 hours. This may conveniently be done by

completing the form provided by the Council entitled 'Notice of Interment'. The Council will accept no responsibility whatsoever for verbal arrangements, where such arrangements have not been confirmed in writing.

The written notice of interment is required to be delivered to the Cemeteries & Crematorium Officer, Oakley Wood, Bishops Tachbrook, Leamington Spa, and must contain the following details.

Of the deceased

Full name, description as to trade or profession etc (if a minor, name, residence, and occupation of parents); permanent address; place where death occurred, age, date of death.

Of the proposed interment

Day, date, and hour; place where service is to be held; name of Minister intending to officiate; size of coffin.

Of the grave to be used

Number and section if known; whether in consecrated, unconsecrated, multi-denominational or Roman Catholic ground; where the right of burial is to be purchased, name and address of purchaser.

The Council will not accept the responsibility for the consequences arising from loss or delay of any notice, order or other document sent by post.

11. The foregoing regulations 11 and 12 will be waived in cases of emergency certified by acceptable medical authority in the interest of public health; in this case notice may be given at the cemetery at any time for burial as soon as possible.
12. If a Minister of Religion is to conduct the burial service, arrangements for the attendance of the Minister and any payment for his duties shall be the responsibility of the person arranging the interment.
13. A certificate for disposal issued by the Register of Births & Deaths, or a Coroner's Order for Burial, must be delivered to the Cemetery Supervisor when the funeral arrives at the Cemetery.

Any person procuring an interment without the production of such certificate or order will be required to make a written declaration on the prescribed form in accordance with section 1(1) of the Births and Deaths Registration Act 1926, and pay a deposit of £2.00 returnable on production of such certificate. Failure to comply with these requirements is an offence under sections 1 and 5 of the Births and Deaths Registration Act 1926.

In the case of the interment of cremated remains where the cremation was not undertaken by the Council, a certificate for burial purposes giving adequate proof of death registration will be required.

14. Where interment takes place in a grave in which the exclusive right of burial has not been purchased, the grave shall not be re-opened to facilitate a further interment for a period of five years unless to inter a deceased member of the same family.
15. Every body brought into the Cemetery for interment shall be contained in a suitable coffin of perishable material
16. All earthen graves will be prepared by persons employed by the Council, but no work involved in the re-opening and subsequent sealing of vaults will be undertaken.

Existing vaults shall be opened from the top, unless the burial rights in the ground required for entrance thereto has already been purchased by the person procuring interment.

17. After interment, no body may be removed from a grave or vault without the production of the ecclesiastical faculty and/or licence for the exhumation required by law.

The original documents will be required for this purpose.

18. Ceremonies of a special nature are subject to the approval of the Cemeteries Manager.
19. In the case of the re-opening of a private grave or vault, where written consent of the owner of the burial rights, the deed of grant of exclusive right of burial or other reasonable evidence of ownership cannot be produced, the Council will require to be indemnified against any action arising as a result of permitting the interment. A suitable form of indemnity is available at the Cemeteries Office.
20. If he considers it necessary in the interest of public health, the Supervisor may at his sole discretion order that a body shall be taken direct to the grave and not inside a Cemetery Chapel.

Purchase of Exclusive Rights of Burial

21. Grave spaces are available in the Cemeteries for the purchase of exclusive right or burial, in accordance with these regulations and the table of fees applicable to such purchases.

All such private graves will be initially excavated to the standard depth decided by the Council for that particular section of the Cemetery, and the interment fee will be charged accordingly.

New graves will normally be allocated in strict rotation within each section, a grave selected other than in rotation will be subject to an additional fee.

Plans showing the grave spaces available are kept at the Cemeteries & Crematorium Office, where they may be seen during normal office hours.

The Council cannot be held responsible, if, due to factors outside their control, the full number of interments in a grave cannot be facilitated.

22. All grants of exclusive right of burial will be made for a period not exceeding 50 years. At the expiration of that period the purchaser, or his/her heir or successors will have the option of renewing the exclusive right of burial, subject to such restrictions and regulations as may be in force at that time. Application should be made for renewal of the exclusive right of burial within 12 months of the expiry of the previous grant.

Where the period of the grant or right of burial has elapsed, and no notification of the intention to renew has been received from the person who held the right of burial, the Council may grant a renewed right of burial to another person, but before doing so will, where possible, notify the previous owner of the right, or his personal representatives, and give the option of renewal.

23. Any transfer of ownership of exclusive right of burial must be registered in the records of the Cemetery, and the deed of grant of right of burial must be produced for endorsement at the Cemeteries and Crematorium Office before the grave can be re-opened.

Memorials

24. A memorial may only be erected on a grave space within the cemetery in accordance with these regulations and upon payment of the appropriate fee
25. No memorial may be erected on any grave where the exclusive right of burial has not been purchased, other than a vase within the permitted dimensions (see regulation 33b) or a horizontal tablet with no dimensions greater than 12 inches (305 mm) and positioned so as not to protrude above the level of the surrounding ground.
26. The approval of the Council is necessary before a memorial is placed in the cemetery, and before the alteration or addition of inscription to any memorial. Following approval, the Council will grant a right to place and maintain the proposed memorial or the approved alteration or addition thereto in the cemetery for a period which shall correspond with the period during which the exclusive right of burial is held by the grantee, subject to a maximum period of 50 years where the exclusive right of burial has been granted in perpetuity.

27. Application for the approval required under regulation 31 shall be made at least two weeks in advance of the proposed date of erection by notice to the Cemeteries Manager or other appointed officer, at the Cemeteries and Crematorium Office, Oakley Wood, Bishops Tachbrook, Leamington Spa.

The notice must be given on a form provided by the Council entitled 'Proposed Monumental Work'. The notice must contain full particulars of the proposal, including:

- a) In the case of a memorial newly erected in the cemetery, a drawing of the memorial and its specification, including the nature and quality of the material to be used. Showing all dimensions including those of the foundation slab.
 - b) Any text to be cut upon the proposed memorial, or any text to be altered or added to an existing memorial.
 - c) The name and address of the person placing the order for the monumental work to be undertaken.
28. A proposal relating to the erection or alteration of a memorial will only be approved when the memorial will satisfy the following requirements:
- a) Unless at the time of application, the Council has approved otherwise, the memorial shall be a headstone only, with or without a base. The base to the headstone which is within the permitted dimensions may incorporate a vase, without an additional fee being payable.
 - b) A permanent vase, with or without inscription, not exceeding 1 ft (300 mm) in height (including any base or plinth) and not exceeding 9 ins (225 mm) in any other dimension may be placed on a grave in addition to a headstone on payment of the appropriate fee.
 - c) The maximum dimensions (including base) of any memorial shall be:

<u>Height Above Ground Level</u>	
Width of Grave Site	Height of Memorial
2 ft (600 mm)	2 ft (600 mm)
3 ft (900 mm)	2 ft 7 ins (775 mm)
4 ft (1200 mm)	3 ft 6 ins (1050 mm)

<u>Width</u>	
Width of Grave Site	Width of Memorial
2 ft (600 mm)	1 ft 6 ins (450 mm)

3 ft (900 mm)	2 ft (600 mm)
4 ft (1200mm) +	3 ft 6 ins (1050 mm) +

Thickness

Less than 2 ft 7 ins (775 mm) in height – 2 ins (50 mm) minimum.

More than 2 ft 7 ins (775 mm) in height - 3 ins (75 mm) minimum.

- d) Each headstone must be set on a foundation slab of natural or pre-cast stone or concrete suitably reinforced, in one piece, not less than 2 ins (50 mm) in thickness and placed so as not to protrude above ground level.

The foundation slab must be at least 6 ins (150 mm) larger than the base of the memorial proposed to be erected upon it, and in no case less than 15 ins (375 mm) in width, except on a child's grave where the size of the foundation slab may be correspondingly reduced.

- e) All joints must be properly cemented and cramped, joggled or dowelled to NAMM standard. Cramps or dowels for this purpose must be of solid copper or heavily galvanised steel not less than 3/8" (10 mm) in diameter. At least two dowels shall be used for each dowelled joint.
- f) Any base or plinth for a headstone shall meet the NAMM standard.
- g) Memorials shall be of the best quarried natural stone. Memorials of artificial, re-constructed, Bath or soft Caen stone will not be allowed, and memorials of wood, metal, pottery, plastic or fibreglass are forbidden.
- h) Photographic plaques will be permitted on a memorial provided that no dimensions exceed 4 inches (102 mm).
- i) Approval will not be given to a grave surface being covered with loose material such as gravel, glass chippings or stone chippings.
29. Each memorial placed or erected in the cemetery shall have the number of the grave to which it is appropriated inscribed in a conspicuous position, in letters not less than 1 inches (25 mm) in height and deeply incised or leaded.
30. If the trade name of the monumental mason is to be included on a memorial, the monumental mason is responsible for obtaining the approval of his client including details of the size and position of the trade name.
31. The surname only (with or without initials) of the deceased or of the deceased's family is permitted on the reverse of a memorial.
32. All materials and equipment used in connection with monumental work shall be conveyed in the cemetery in such a manner as will prevent damage to any

walks, paths or grassed areas and all soil or refuse shall be removed in like manner.

Mats, boards or canvas are to be used as may be directed by the Supervisor to achieve this end.

33. The Cemetery Supervisor must be notified of the removal of any memorial from the cemetery.
34. Any removal and re-erection of a memorial to facilitate the re-opening of a private grave or vault shall be at the expense of the owner of the burial right.
35. Any memorial removed from a grave to facilitate interment must be replaced after the initial settlement of the earth used to fill the grave.
36. A memorial erected in the cemetery remains there at the sole risk of, and must be kept in repair by, the owner of the burial right.
The Council has statutory powers to remove or make safe any memorial becoming unsafe for any reason.
37. No lighting implements, including candles, are to be left in the cemeteries at any time. The Council reserves the right to remove any lighting implements left in Cemetery grounds.
38. No personal benches are to be left in the cemeteries at any time. The Council reserves the right to remove any personal benches left in Cemetery grounds.

Preservation of the Good Appearance of the Cemetery

39. After an interment has taken place in a private grave, and a reasonable time has elapsed for the natural subsidence of the earth used for filling the grave, the owner of the burial right shall, in accordance with the Local Authority Cemeteries Order 1977, cause the surface of the grave to be levelled and properly covered with fresh turf except for an area covered by a memorial.
40. The surface of every grave or a vault shall be at ground level, except an approved memorial permitted in accordance with these regulations.
41. Small hardy flowering plants may, with the prior approval of the Supervisor or other appointed officer of the Council, be placed on a private grave. The planting shall be under the direction of the Supervisor or said officer, who will restrict planting to very small plants immediately adjacent to the headstone, in the case of graves in sections of the cemetery where kerbstones are also restricted.

The Council reserve the right to prune, dig up or cut down and remove any plant when they consider it necessary or desirable.

42. The placing on graves of unauthorised memorials such as artificial wreaths, glass shades, items of pottery, glass jars and tins etc is strictly forbidden and any item so placed in contravention of this regulation will be removed by the Council. Wooden crosses are permitted as a temporary marker for a maximum of 12 months. After this time, they will be removed by the Council.

Fees and Charges

43. The fees and charges prescribed for the use of the Cemetery shall be those specified in the table of fees, as amended from time to time subject as follows:
- j) Where two or more interments from one family take place in the same grave at the same time the fee for one interment as prescribed in the table of fees will apply.
 - k) The fee for interment shall be doubled where the deceased, within one year of death, was not ordinarily resident within the area of Warwick District Council.
44. All fees and charges payable to the Council are due in advance except in the case of tradesmen dealing continuously with the Council when a monthly account will be operated.

Fees and charges are payable to the Council's treasury unless otherwise directed.

General

45. A register of all burials will be kept at the office (Cemeteries & Crematorium, Oakley Wood), where searches may be made and certified extracts obtained upon payment of a prescribed fee.
46. The Council are empowered to alter or amend the foregoing regulations at any time and to introduce further regulations as they consider necessary in the case of newly established sections of the Cemetery.
47. Any of the foregoing regulations may be waived by the Council in exceptional circumstances.

Woodland Burials

48. Woodland burial offers a natural alternative to traditional burial and cremation.
49. As the site is located in an Ancient Woodland the Council will ensure a truly natural wild and organic setting for wildlife and woodland plants.
40. The Council will not allow headstones, flowers or the planting of any shrubs or bulbs or allow any trinkets or above ground memorials. This is to ensure that

the site reflects the tranquil surroundings in the knowledge that nature is truly taking its course.

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