

# **Rules relating to Cotherstone Cemetery, administered by Cotherstone Parish Council**

## **INTRODUCTION**

The extension to Cotherstone Cemetery was purchased by public subscription as a burial ground for the people of Cotherstone Parish. The cemetery, including the extension, is administered by Cotherstone Parish Council under Section 214 of the Local Government Act 1972. The Parish Council, unless it agrees otherwise in a specific instance, restricts burials in the cemetery to present and past residents of the parish.

The following rules apply to the whole cemetery site.

Any queries regarding the cemetery should be addressed to the Clerk who has been delegated some of the Parish Council's powers in relation to the cemetery.

## **1. DEFINITIONS**

In these regulations 'the certificate' means the Certificate of Exclusive Right of Burial granted by the Council. 'The owner' means the person to whom the certificate is granted and his or her heirs. 'The grave' means the piece of ground to which the Exclusive Right of Burial relates which is granted by the certificate, and 'the Council' means Cotherstone Parish Council.

## **2. SELECTION OF A SITE IN THE CEMETERY**

The selection of a site for interment and purchase of Exclusive Right of Burial is to be subject to the approval of the Council.

## **3. CERTIFICATE OF EXCLUSIVE RIGHT OF BURIAL**

3.1 The purchaser of the Exclusive Right of Burial in any grave space will be furnished with a certificate and particulars will be entered in Registers kept for that purpose. In all cases of burial where Exclusive Rights of Burial have been granted the notice of interment shall be signed by the purchaser or owner thereof for the time being signifying his consent to such burial. Such Exclusive Rights of Burial in purchased ground cannot be transferred except by will, descent or marriage and on each change of ownership whether by will, descent or marriage, the person claiming such right is required forthwith to give notice, and at the same time furnish proof of the claim to the Council. The name of the new owner will be recorded in the register of transfers.

3.2 No burials shall be made without there being at least three feet of soil between the surface of the ground and the top of the coffin.

## **4. NOTICE OF FUNERAL**

A minimum of 48 hours' notice exclusive of Saturdays, Sundays and Bank and Public Holidays, must be given prior to an interment and the date and time must be approved by the Council.

NOTE: Funerals must not be arranged without prior confirmation by the Clerk of the time and date of interment.

## **5. DIGGING OF GRAVES**

All graves are to be dug and excavated under the instruction of a relevant undertaker in compliance with management regulations under control of the Clerk.

## **6. TIMES OF FUNERALS**

6.1 Funerals may take place daily between 9am and 5pm provided that the requirements of Clause 4 are met.

6.2 Registrar's certificates **must** be surrendered before any interment takes place.

## **7. CREMATED REMAINS**

7.1 Plots 2' x 2' (600mm x 600mm) are available in the Garden of Remembrance for a single interment of cremated remains.

7.2 Whether or not Exclusive Right of Burial has been granted, cremated remains must not be scattered or interred without the authorisation of the Council.

7.3 The surrender of the Certificate of Cremation to the Council **must** take place prior to the disposal of any cremated remains.

## **8. MEMORIALS AND HEADSTONES**

8.1 Headstones or other memorials are not permitted upon grave spaces without prior permission of the Council and then only in such position as the Council approves, and dimensions in accordance with Clause 10.

8.2 The owner shall keep monuments in a neat and properly maintained condition. If the owner does not do so within 14 days of written notice by the Council, the Council shall be entitled, at the owner's expense, either to repair or remove it.

8.3 All headstones erected in the cemetery are permitted on the condition that they are erected at the owner's risk, and that the Council cannot be held responsible for damages or breakages which may occur, unless caused by Council employees or its contractors.

8.4 Kerbstones are not permitted on new graves in the cemetery. Permission for extensions to existing grave kerbstones will be at the discretion of the Council.

## **9. SITING OF MEMORIALS/HEADSTONES**

9.1 Headstones will not be permitted to be built into the boundary walls or other walls in the cemetery.

9.2 Where it is intended to provide a single headstone for two adjoining grave spaces, until such time as interment has taken place in both grave spaces, the headstone must be sited on the grave space relating to the initial interment. When the second interment takes place, before any headstone may be removed, further permission of the Council for any further inscription must first be obtained. The headstone shall then be placed at the centre of the head of the two plots.

## 10. MEMORIAL DIMENSIONS

<b>Dimensions of memorial (maximum)</b>	<b>Single space</b>	<b>Two adjacent spaces</b>
Total height (incl base)	36" (914mm)	36" (914mm)
Width	30" (762mm)	54" (1372mm)
The thickness of the headstone must not exceed 4" (100mm)		
<b>Base (maximum)</b>		
Height	10" (254mm)	10" (254mm)
Width	30" (762mm)	54" (1372mm)
Front to back	14" (355mm)	14" (355mm)
<b>Foundations (maximum) (free standing stone or concrete)</b>		
Width	32" (812mm)	56" (1422mm)
Front to back	16" (406mm)	16" (406mm)
<b>Cremated remains: Garden of Remembrance</b>		
Maximum dimensions of memorial	24" (600mm) x 24" (600mm)	

## 11. DESIGN AND INSCRIPTIONS

11.1 All gravestones, headstones, inscriptions, including dimensions, materials and colours are to be subject to the approval of the Council. The name of the deceased, as registered at death, must be inscribed on the memorial. A copy of every inscription, together with a drawing showing the form and dimensions of every gravestone or headstone must be submitted to the Council. At least 24 hours' notice must be given to the Clerk before any works can take place. Persons carrying out monumental work without Council approval or prior notice may subsequently be excluded from further works.

11.2 The number of the grave must be placed on the back of the headstone together with the name of the mason.

11.3 All headstones must be erected on a freestanding stone or concrete base and have contact with the base over the full area of the bottom of the headstone. All headstones, when erected, are the responsibility of and must be kept in repair by the owner.

11.4 Inscriptions and symbols to be in black, silver, gold or white only. Any existing images to be repaired in original colour.

## 12. FLAT STONES

12.1 Flat stones should be sited on a freestanding foundation of stone or concrete and the upper surface of the flat stone shall not protrude above the surrounding ground level.

12.2 The dimensions of flat stones shall not exceed:

<b>Foundations</b>	<b>Single space</b>	<b>Two adjacent spaces</b>
Width	32" (812mm)	56" (1422mm)
Front to back	20" (508mm)	20" (508mm)
<b>Flat stone</b>		
Width	30" (762mm)	54" (1372mm)
Front to back	18" (457mm)	18" (457mm)

### **13. GRAVE MOUNDS**

Mounds are permitted on any graves to ensure that after settlement the final surface above the grave is level with the adjoining ground; 12 weeks following interment, undertakers must return and inspect level. Surplus soil is to be placed in the area provided at the bottom right hand corner of the cemetery.

### **14. LAWNED GRAVE SPACES**

Grass or soil shall not be removed from grave spaces except in connection with authorised monumental works.

### **15. PLANTING TREES, SHRUBS OR STATUES ON GRAVES**

No trees, shrubs or statues are permitted on the grave space. Bulbs can be planted. Vases may be placed at the head of the grave space only.

### **16. MONUMENTAL WORK**

Monumental work will only be allowed between the hours of 9am and 5pm, Monday to Friday.

### **17. WREATHS**

Memorial wreaths and flowers may be removed when, in the opinion of the Council, they have become unsightly.

### **18. LITTER**

Visitors are requested to deposit litter, spent flowers and wreaths in the waste receptacles provided.

### **19. KEEPING ORDER**

No children under the age of twelve years shall be admitted without a responsible attendant. Any person conducting him or herself improperly shall be forthwith expelled from the cemetery by the Clerk or any of the Parish Councillors.

### **20. DOGS LIVESTOCK etc.**

Guide dogs only allowed in the cemetery. Other than for maintenance and burial works the only forms of conveyance allowed in the cemetery are wheelchairs, mobility scooters and pushchairs.

### **21. SANCTITY OF THE CEMETERY**

Visitors are requested to recognise the sanctity of the area and to behave in a responsible and sympathetic manner.

### **22. REGISTER OF BURIALS**

Registers of burials will be kept by the Clerk who is authorised, on request, to undertake searches and provide information. Payment of the appropriate fee is as detailed in the Schedule of Charges.

### 23. SURRENDER OF EXCLUSIVE RIGHT OF BURIAL

Cotherstone Parish Council will buy back any grave which has not been used for burial and will refund the amount paid at the time of purchase less an administrative fee of £25.

The grave/plot owner will need to provide Cotherstone Parish Council with the following documents: a completed Deed of Surrender of Exclusive Right of Burial, the original Grant of Exclusive Right of Burial, and a short letter outlining the surrender instruction. The formal date of surrender is when the Council receives the above documents. When received, the Clerk will calculate the refund owing and arrange for this to be paid. A Deed of Surrender of Exclusive Right of Burial form is available for download from the Cotherstone Parish Council website, or on request from the Clerk.

### 24. SCHEDULE OF CHARGES FOR RESIDENTS OF THE PARISH

#### EXCLUSIVE RIGHT OF BURIAL

- |   |                         |
|---|-------------------------|
| (a) For the right to construct and the Exclusive Right of Burial for a period of 99 years in an earthen grave 8ft x 4ft | £200.00 per grave space |
| (b) For a period of 99 years of cremated remains in an earthen grave 2ft x 2ft  | £125.00 per grave space |

#### INTERMENT FEES

- |  |        |
|--|--------|
| (a) Interment Fee for a burial                               | £75.00 |
| (b) Interment Fee for cremated remains                       | £75.00 |
| (c) Interment fee for ashes interred into a relative's grave | £75.00 |

#### MONUMENTS AND MONUMENTAL INSCRIPTIONS

- |   |        |
|---|--------|
| (a) For the right to erect, place or replace on a grave or vault, with inscription, headstone or plaque | £90.00 |
| (b) A vase not exceeding 1 ft in height   | £45.00 |
| (c) For each subsequent inscription   | £45.00 |
| (d) For supplying a certified copy of an entry in a register  | £10.00 |
| (e) For searching a register  | £12.00 |

### 25. CHARGES FOR EX-RESIDENTS

Charges for ex-residents of Cotherstone parish who wish to be buried in the cemetery are double those shown above, unless a plot was purchased whilst living in the Parish of Cotherstone. Charges for monuments and inscriptions for ex-residents will also be double those of residents.

People who have resided in the village and who leave to spend their last years in care shall still be considered as residents.

AMENDED AND MINUTED 13 FEBRUARY 2019  
CHARGES WITH EFFECT FROM 1 FEBRUARY 2017