

# **Crowle & Ealand Town Council**

## **Rules and Regulations for the Management of Crowle Cemetery**



Adopted: 13 June 2023  
Minute Reference: F/024/23  
Review: June 2024

### **Introduction**

Crowle & Ealand Town Council (C&ETC) have prepared these regulations to enable the Council members to manage the cemetery effectively, and to maintain the highest possible standards, without placing unnecessary restrictions on individual choices.

The council aims to provide the highest possible standards of care, choice, and dignity to those who have suffered bereavement. To create and maintain an environment where the bereaved can pay their respects and remember loved ones in the ways they feel is most appropriate.

The Council is responsible for the upkeep of all areas within the cemetery, i.e., the boundaries, trees, the grass cutting and general upkeep of flower beds and containers. It is the responsibility of the next-of-kin that memorial urns/decorative items etc do not obstruct the grounds keeper or staff carry out housekeeping duties.

These regulations are to inform visitors of these standards to keep the cemetery in a clean and well-ordered condition.

Please be aware that the Town Council reserves the right to change these regulations at any time, in accordance with any changes in statutory law and recommendations made by the Ombudsman.

All funerals and cemetery administration will be under the control of the Cemetery Manager

### **Cemetery opening**

At present the public are able to access the cemetery at any time, ensuring curtesy is given to local residents, with access being through the front gate.

The Council reserves the right to make temporary closures at any time, due to possible repairs effecting the interest of public safety. Or reinstate opening and closing times.

### **Administration**

If you require any information or help with locating a specific grave, please contact the Cemetery Manager.

The office is situated at The Chapels, Crowle Cemetery, Crowle, DN17 4LN

Telephone (01724) 710020

Mobile: 07871404610

Email: [rfo@crowleandelandcouncil.org](mailto:rfo@crowleandelandcouncil.org)

**Vehicles**

All public vehicles are prohibited from entering the cemetery, except for blue badge holders. Maintenance vehicles and vehicles being used to transport headstones will need to request authorisation from the Cemetery Manager to be on the cemetery grounds. Parking space for two cars are available outside the gate.

**Bicycles**

The riding of bicycles and motorcycles through the cemetery is strictly prohibited.

**Children**

For safety children under 12 years of age must be always accompanied by a responsible adult whilst visiting the cemetery.

**Dogs**

Dogs are permitted within Crowle Cemetery.

**Scales of fees and charges**

Details of the cemetery fees and charges can be obtained from the Council office or are available to view/download on the Town Council website. This document forms part of the Rules and Regulations of C&ETC

**Cemetery Map and Burial register**

Maps showing grave locations and the burial register are available for viewing at the Council office free of charge. At this present time, they are not online

**Plot Allocation**

Plot allocation in all cases, is at the sole discretion of the Cemetery Manager.

**Exclusive Right of Burial**

A purchased grave (sometimes referred to as a private grave) is one where the Exclusive Right of Burial has been purchased for a period of 50 years from the date of purchase and will be excavated to a depth which will allow the eventual interment of one to three coffins. Cremated remains as well as coffins can be interred in this type of grave but only after the last burial has taken place.

The Exclusive Right of Burial entitles the purchaser to determine who shall be interred in the grave to a maximum of three bodies (the word 'body' refers to a coffin burial) and permits the holder of the rights to erect a memorial. Any additional burial of cremated remains would be at the sole discretion of the Cemetery Manager.

Please be aware that when a grave in Crowle Cemetery is purchased, one is purchasing the Exclusive Right of Burial for a period of 50 years, which may be renewed for a further period on expiry. The purchaser is not buying the grave freehold and will not own the land. The holder has only purchased the right to determine who may be buried in the grave, and whose cremated remains may also be interred in the grave.

The deed of Exclusive Right of Burial issued by the Town Council should be kept in a safe place as this is a very important document.

Purchased graves are subject to Cemetery Rules & Regulations.

**Change of address for an Exclusive Right of Burial**

Please communicate in writing to C&ETC for changes to your address. Your deed of Exclusive Rights of Burial will then be amended giving your new address.

**Ownership of a Deed of Exclusive Right of Burial**

Possession of a Deed does not necessarily give the person in possession, the ownership of an Exclusive Right of Burial. Where the owner is deceased, subsequent ownership depends upon whether the deceased person has left a valid will. The law concerning this matter can be very complex and it is strongly recommended that a Solicitor be consulted to establish new ownership. Ownership of a Deed of Exclusive Right of Burial can be transferred or assigned using the relevant form obtainable from Cemetery Manager.

**Arrangements for interment**

The cemetery shall be solely used for the interment of human remains.

A Certificate for Burial or Cremation issued by the Registrar of Births and Deaths, or a Coroner's Order for Burial, must be provided to the Cemetery Manager prior to the interment taking place.

For the burial of a stillborn child, the Certificate from the Registrar of Births and Deaths, that he or she has registered the stillbirth, or that he or she has received official notice of the stillbirth, or a Coroner's Order for the Burial, must be delivered to the Parish Clerk or other authorised officer at least 72 hours prior to the interment.

Please be aware that by Section 1 of the Births and Deaths Registration Act 1926, it is both prohibited and an offence punishable on summary conviction by a fine not exceeding level 1 on the standard scale (currently £200) for anyone to dispose of the body of a deceased person without delivery of the Registrar's Certificate or the Coroner's Order for Burial.

**Cremated remains, caskets and urns**

Please be aware that cremated remains will only be interred in a casket or urn and cannot be interred directly into a grave space. Scattering of Ashes is not allowed in the Cemetery.

**Opening grave for interment**

Please be aware that a grave for which an Exclusive Right of Burial applies can only be opened with the written permission of the registered owner of the Exclusive Right unless the interment is to be that of the registered owner.

If the registered owner has died, then the Exclusive Right of Burial must be transferred; no excavation will be carried out until a satisfactory written explanation of who is the current owner of the rights has been received at the Council office.

**Interment fee**

Please be aware that in addition to the fee charged for the Exclusive Right of Burial, an Interment fee for opening and closing the grave is charged. The interment fee is charged every time the grave is opened for an interment.

**Please note that only the nominated grave digger approved by the Town Council can carry out excavations for interments.**

### **Bearers**

The Funeral Director is responsible for arranging sufficient bearers to carry and lower the coffin in a dignified manner. C&ETC understand that family members and mourners often wish to assist with this, and we respect that decision. We do ask you to be aware, however, that any mourners who do assist with the bearing or lowering of a coffin do so at their own risk.

### **Grave mounds**

All grave mounds will be removed after the expiry of six months from the date of interment.

### **Length of notice**

To ensure that the C&ETC have the necessary time to make the arrangements for an interment of any kind, the length of notice required is 5 clear working days.

In some cases, usually for cultural or religious reasons such as the Jewish faith, or in the case of a death from epidemic or endemic disease after medical certification, the burial must be completed within a 24-hour period, and C&ETC will make every effort to comply with such a request. However, such situations should be viewed as exceptional, and under all normal circumstances, these Rules would be enforced by the C&ETC.

No interment will take place on Sundays, Good Friday, Christmas Day or Bank Holidays except on the Certificate of a Coroner or Registered Medical Practitioner that immediate interment is necessary.

### **Authorisation**

All interments must be authorised by C&ETC prior to the funeral arrangements being publicly announced by the Funeral Director. Please note that no interment or memorial work will be allowed for which an unpaid charge is outstanding.

### **Memorials**

The permission of the Council is required **before** any memorial may be erected, renovated, or removed. Permission is also necessary for additional inscriptions to be inscribed.

All memorials must be fixed or re-fixed compliant and in accordance with the BS8415 as recommended to the standard set out in the BRAMM Code of Working Practice the "Blue Book".

All fixers must be registered on the National Register of Memorial (RQMF) and guaranteeing their work for 10 years. The work should be completed as soon as possible after approval is given.

Inscriptions and designs, on the front of the memorial only, must be discreet; the C&ETC may refuse to allow a design if considered to be inappropriate. Any question regarding the suitability of any inscription, or the design or material construction of any monument erected or placed on consecrated ground, shall be decided by the Cemetery Manager. Appeal against any decision may be made to the Council.

In the case of consecrated land only the outcome will be determined by the Bishop of the Diocese. In the case of non-consecrated land, the decision of C&ETC is final.

Applications for memorials are to be completed on the correct C&ETC Form, which is available on the website [www.crowleandeaandcouncil.org](http://www.crowleandeaandcouncil.org) or directly from the Cemetery Manager.

They must be signed by the grave owner, with a drawing showing the proposed sizes, inscriptions, and a description of the memorial to be placed at a grave must be submitted to the Cemetery Manager for approval at least 14 days before commencement of the work. C&ETC accepts no responsibility for any monetary loss incurred for the ordering of a memorial stone, where permission for erection is later refused.

If any monument is erected in violation of the Regulations of the C&ETC, it may at anytime be removed by the Council, without notice.

The owner must keep the headstone in good and safe repair. The Council will inspect each memorial periodically to ensure its stability. Please see the Memorial Safety Policy for more details regarding this. The owner will be responsible for any repairs or maintenance. If any required work is not carried out within twelve months of the owner being notified, the C&ETC reserves the right to remove or repair the stone at the owner's expense.

All memorials erected in the cemetery are erected at the owner's risk. C&ETC accepts no liability for their loss or damage.

### **Types of Memorial**

To give the best possible choice, we allow most designs of memorials in the cemetery including memorials with surrounding curbs.

All memorials on the lawned section shall not be less than 50mm (2in) in thickness and shall not exceed 86cm (2ft 10") in height and 76cm (2ft 6in) in width (including the base). The height of memorials shall be measured from ground level, and shall be inscribed with the grave number to which they relate.

The only memorials allowed in the area designated for cremated remains are the Council's pre-approved styles of small headstone memorials. These must be mounted on a 2ft x 2ft concrete base. If ashes are interred in a standard burial plot the rules about memorials apply.

Memorials must be made from either marble, granite or natural stone. No gravestones or monuments formed of Caen, bath or other soft stone or other material likely to perish or memorials of zinc, iron or other metal will be permitted to be fixed. The whole of the stones must be of the best quarried materials.

### **Grave tributes**

No shrubs, plants or flowers may be planted within the cemetery or on any grave, except those incorporated into or situated on the base of the headstone. The council reserves the right to prune, cut down or dig up and remove any shrub, plant or flower planted without authorization, that in their opinion has become unsightly or overgrown. A flower vase may be incorporated into the base if wished. However, in the interest of keeping the cemetery aesthetically pleasing, other pots or vases will not be allowed.

Floral tributes may be placed on the grave. After approximately 3 weeks, C&ETC will generally remove tributes from graves when they will start to become unsightly.

At Christmas holly wreaths may be left on graves. The Council will remove these 5 or 6 weeks after Christmas. If you wish to keep your wreath, please remove before the 31<sup>st</sup> of January.

The Town Council reserves the right to remove any receptacle for flowers, damaged wreaths,

mementos etc. that it considers unsuitable, or which are broken, without notice. Glass containers, balloons, solar lights, windmills and burning of candles, incense, yew twigs or similar items are strictly prohibited.

Plastic fencing and stone chippings around the grave will be removed without notice being given by the Council.

### **Fees**

The Council may charge such fees as it thinks proper for, or in connection with, interments in the cemetery; and for the grant of right to place a memorial in the cemetery; or inscribe an additional inscription thereon.

The Council will review the fees annually.

### **Non- Compliance with the Regulations**

The Town Council in exercising its powers under these regulations will adhere to the following procedure where non-compliance with the regulations has occurred.

1. Before any action is taken with regards to the removal of any memorial or object that is in contravention of these regulations, the Council will notify the grave holder in writing of the Council's intentions at their last known address.
2. One month's notice of any intended action will be given.
3. The grave holder will have the right to appeal against any decision made. Any appeal should be in writing and addressed to the Cemetery Manager.
4. If the grave holder is still not satisfied with the outcome, they will be given the opportunity to have the matter considered by the Town Council. However, the decision of the Town Council will be final.

**Extracts from Legislation applying to Cemeteries**

Attention is drawn to articles 18, 19 and Sections 1,2,3,4 and 7 of Part 1 of Schedule 2 to the Local Authorities Cemeteries Order, 1977

18 (1) No person shall: -

- I. Wilfully create any disturbance in a cemetery
- II. Commit any nuisance in a cemetery
- III. Wilfully interfere with any burial taking place in a cemetery
- IV. Wilfully interfere with any grave, walled grave or vault, any tombstone or any other memorial, or any flowers or plants or any such matter, or
- V. Play any game or sport in a cemetery
- VI. Deposit any litter or rubbish, other than floral tributes, within the cemetery grounds other than into the receptacles provided

(2) 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 a Cemetery at any hour when it is closed to the public.

19 Every person who contravenes: -

Shall be liable on summary conviction to a fine not exceeding Level 3 on the standard scale and (currently £1000), and in the case of a continuing offence to a fine not exceeding £10 for each day during which the offence continues after convictions thereof.

**Criminal Damage Act 1971 Section 1(1)**

“A person who without lawful excuse destroys or damages any property belonging to another, intending to destroy or damage any such property or being reckless as to whether any such property would be destroyed or damaged, shall be guilty of an offence.

A person guilty of such an offence on indictment is liable to imprisonment for a term not exceeding ten years. For a similar offence tried summarily with the consent of the accused, the maximum penalty is six months imprisonment and/or a fine of up to £2000.