

Prudhoe Town Council: Cemetery Regulations

The Cemetery Regulations were **AGREED** by Prudhoe Town Council to be adopted with immediate effect at the Extraordinary Meeting held on Wednesday 9 November 2016, Minute Number 1617/1075 (1).

By Order

Richard Whinney
Executive Officer / Clerk to the Council

10 November 2016

Prudhoe Town Council, as the Burial Authority for the local council area of Prudhoe, hereby makes the following Regulations for the management of the Edgewell Cemeteries (hereafter “the Cemeteries”), exercising the powers granted by the *Local Authorities’ Cemeteries Order 1977, SI 1977/204*. Control of the Cemeteries is exercised by the chief officer of the Council or any person delegated in terms of the Council’s Standing Orders.

Under the law, the Council’s decision is final in all matters concerning the Cemeteries.

Notice

Where the Council lawfully **serves a notice** under these Regulations but is unable after reasonable enquiry to trace the grave owner, the Council may instead display the notice in a conspicuous position in the Cemeteries, and publish the notice in consecutive weeks in the local newspaper. Such display and publication shall be deemed to constitute sufficient notice.

Visiting the Cemeteries

The **opening hours** for the Cemeteries are as follows:

From 8:00am to 8:00pm between 1st May and 30th September

From 8:00am to 4:00pm between 1st October and 30th April

The gates will be locked at all other times.

No dogs are permitted in the Cemeteries, except for guide and assistance dogs. Dogs in the Cemeteries must be kept **on a leash** at all times: failure to do so is a summary offence punishable with a fine. Owners must **clear up** after their dogs: failure to do so is a summary offence punishable with a fine.

Any **children** visiting the Cemeteries must be accompanied by an adult.

Visitors are reminded to deposit all **rubbish**, waste flowers, wreaths, litter etc in the bins provided.

Cemetery fees & charges

Fees and charges for the purchase of grave plots, interments of coffins and of cremated remains, the right to erect a memorial, etc, are set by the Council and subject to regular

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review. No exceptions may be made to the set fees and charges, which are set out in a separate document.

Fees and charges apply to **residents** where the person to be interred or in respect of whom the right of burial is granted is, or immediately before his or her death was, an inhabitant of the local council electoral area of Prudhoe or, in the case of a stillborn child, where at least one of the parents is, or at the time of the interment was, such an inhabitant.

In all other cases, the charges and fees are those specified for **non-residents**, except that charges in respect of burials and memorials will be as for residents where the exclusive right of burial in the plot in question was acquired at a time when *the purchaser* fulfilled any of the conditions for residency set out above.

Purchasing grave plots

Grave plots may be **purchased** on application to the Council. Payment of the applicable fee entitles the owner and their descendants to the exclusive right of burial in that plot for a period of **75 years**.

Scattering of ashes

The scattering of ashes **above ground** in the Cemeteries is not permitted. Subject to permission being granted by the Council, and the payment of the standard fee, ashes may be scattered on a grave **below turf level**.

Maintenance of graves

The Cemeteries are maintained as lawned areas, and the Council is responsible for grass-cutting. To ensure the Cemeteries are kept neat and tidy, and to facilitate the use of the machinery to cut grass and deter weed growth, the following are **absolutely prohibited**:

- (i) Kerbstones
- (ii) Decorative fencing of any kind, or other types of edging enclosing graves
- (iii) The planting of flowers, trees, shrubs, bulbs, gravel, ornaments etc (except items placed on the memorial base / plinth)

Any of the above may be removed by the Council without warning. Items thus removed will be stored at the Cemetery for a period of **one month**. If they are not collected within this period, the Council may authorise their disposal.

Erection and maintenance of memorials

A single memorial may be erected at the head of the grave. This may only be done by means of an application made by a memorial mason on behalf of the grave owner. This application is subject to the grant by the Council to the grave owner, in most cases for a fee, of the right to erect the memorial. The Council reserves the right to approve the design of the memorial and the inscription on it, though consent will not be unreasonably withheld.

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The only **types of memorial** permitted in the Cemeteries are:

- (i) A Lawn Memorial Erected on Cast in Situ Single Foundation, using a ground anchor and stainless steel dowels, set on a pre-poured foundation. Such memorials shall be no more than 2 foot 10 inches (876 mm) in height, and 3 foot 6 inches (1050mm) wide;
- (ii) A 'Desk-top' memorial set on a pre-poured foundation, as above, such memorial being no more than 1 foot 6 inches square and 6 inches thick (including the thickness of the plinth).

All memorials must be set on a **foundation** poured in previously un-dug ground at the head of the grave. A sub-base, sub-plinth or other memorial slab beneath the plinth may be permitted subject to its being no more or less than 75mm in thickness and of appropriate material.

If any memorial is erected or inscription added without the approvals / permissions described above, the Council may without notice remove the memorial to a place of safe keeping.

The Council accepts **no liability** for loss of, damage to, or breakage of memorials. Owners of memorials may wish to consider taking out **insurance cover** against theft of, or damage to, memorials occurring through vandalism, severe weather conditions, or by accident.

Stability of memorials - unsafe memorials

The Council periodically carries out **stability testing** of all memorials in accordance with guidelines issued by the Ministry of Justice. Where the stability test indicates that any memorial requires remedial work to make it safe, a hazard warning sticker is placed on the memorial. Grave owners are responsible for, and bear any / all costs in respect of, the repair or reinstatement of their memorials.

The Council as the owner of the Cemeteries and burial authority is under a duty to ensure that memorials requiring attention arising from stability concerns are **made safe**. It may therefore **without notice** cordon off a memorial and / or arrange for a memorial to be laid flat pending repair / reinstatement.

Flowers and wreaths

Wreaths and flowers may be placed at the head of the grave. These are permitted to remain for up to **21 days**, after which they may be removed by the cemetery staff.

Offences in Cemeteries

Section 18 of the *Local Authorities Cemeteries Order 1977* states that no-one shall (1) create a disturbance, commit a nuisance, interfere with a burial, interfere with a grave or memorial or flowers etc, or play any game in a cemetery and (2) that no-one who is not authorised to do so by the Council as the burial authority may enter or be in the Cemeteries when they are closed to the public. Section 19 of the Order states that in both cases the offences are punishable on summary conviction by a fine.