

HUNGERFORD TOWN COUNCIL

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REGULATIONS relating to the use of the Cemetery at St Saviour's, Eddington, Hungerford

Hungerford Town Council by virtue of its powers under the Local Authorities Cemeteries Order 1977 adopted the foregoing Rules and Regulations on 3rd May 2016 with amendments agreed by the Full Council on 5th November 2018.

Further amendments agreed by Recreations & Amenities Committee on 16th July 2019, 19th November 2019, 19th May 2020, 16th March 2021 and 16th November 2021.

1. Definitions: In these Regulations

- (a) 'the Council' means the Mayor and Councillors of Hungerford.
- (b) 'the Cemetery' means the burial ground provided by the Council at St Saviour's, Eddington, Hungerford, for the interment of bodies and ashes.
- (c) 'the Garden of Remembrance' means the part of the Cemetery reserved for the interment of ashes.
- (d) 'the Clerk' means the Clerk to Hungerford Town Council whose name and address are set out above.

2. Arrangements for Interment

- (a) The person having charge of the funeral shall make all arrangements with the Clergyman or Minister who is to officiate.
- (b) Not less than two working days notice shall be given of any interment. Notice in writing must be given to the Clerk by completion of the Interment Form provided by the Council and requirements must be clearly and completely stated. The responsibility for any error therein is that of the person signing the Interment Form. The Council reserves the right to refuse to allow interments when there is reason to believe details given on the Interment Form are incorrect, the disposal certificate is not available for inspection to authenticate the identity of the person to be interred prior to the burial, or if the necessary notice has not been given.
- (c) No burial shall take place, no cremated human remains shall be interred, no tombstone or other memorial shall be placed in the Cemetery and no additional inscription shall be made on any tombstone or other memorial without the written permission of the Council and after the appropriate fees (if any) have been paid.
- (d) When the Exclusive Right of Burial in a grave is purchased, the full name and address of the person/persons to be registered as the owner(s) must be supplied and a deed of grant will be issued (for 99 years). Purchase of Exclusive Right of Burial entitles the registered owner(s) to:

- be interred in a grave space subject to space being available in the grave and for the period of time for which the Right is purchased
- determine who is buried in the grave
- apply for the right to erect a memorial on the grave in accordance with the regulations and subject to the approval of the Council.

In the case of multiple owners, permission from all the owners will be required before the grave can be opened. All the owners are entitled to be interred in the grave on a first come first served basis subject to available space.

- (e) In the event of the death of the registered owner, the Council will contact the relatives to advise that no further burials, interments of cremated remains, additional inscriptions or installation of new memorials will be permitted until revised entitled ownership has been established. On the transfer of ownership of a grave such transfer should be registered with the Clerk on payment of the prescribed fee and the deed of grant produced for endorsement.
- (f) The Registrar's Certificate of Death, Cremation Certificate or the Coroner's Order for burial (when an Inquest has been held) or the Certificate of Disposal (in the case of the burial of a stillborn child) must be delivered to the Clerk before the Interment.
- (g) All fees and charges, as detailed in the attached Schedule, must be paid to the Clerk within one month after interment.

3. Interment

- (a) Hours of Interment shall be from 9 am to 6 pm from 1st April to 30th September and from 9 am to 4 pm from 1st October to 31st March. No interments shall take place outside these hours or at weekends or Bank Holidays except in an emergency and then only at an agreed time and on payment of an appropriate additional fee. No second interment will be permitted within an hour of the time previously appointed for any earlier interment.
- (b) Interment shall take place only in such grave space or (in the case of cremations) plot in the Garden of Remembrance as the Clerk shall specify.
- (c) Reservation of plots in the Garden of Remembrance (for interment of ashes) for future use may be made subject to the purchase of an Exclusive Right of Burial (ERB) and the purchase of a reservation stone to mark the plot (see schedule of fees and charges). Reservations will be subject to a review every five years and owners of the ERB will be contacted to confirm they still wish to reserve the plot. There will be an administrative charge of £50 every five years for this service. If the reservation is not confirmed after six months the reservation will be annulled. Reservation of plots in the burial ground will not be permitted due to a lack of space, difficulty of access and difficulty in marking the plot.
- (d) Any interments in a reserved plot at St Saviour's Cemetery will only be permitted on production of written evidence of a reservation to the Clerk.
- (e) Coffins and caskets containing ashes shall be made only of wood or other biodegradable materials. No more than two caskets may be interred in any plot.
- (f) Surplus soil remaining after interment must be placed in the waste receptacle provided or removed from the Cemetery and must not be deposited on any other part of the Cemetery.
- (g) There are occasions when adjacent graves may need to be re-opened for additional burials. In these cases, mechanical access may be required over adjacent graves and the temporary spoil heap may spread over a number of graves. In a working cemetery this is unavoidable. Every effort is made to protect surrounding graves in these cases and to ensure their return to their previous state as soon as possible.

- (h) The Council will not permit the scattering of ashes on the surface of any grave spaces or within any other areas of the Cemetery for the following reasons:
- It may cause distress or offence to other Cemetery users
 - Grounds maintenance machinery would not be able to operate on or around the area where the ashes were scattered, as they would disturb or remove the remains
 - Difficulties in ensuring legal record keeping.
- (i) No private grave will be made deeper than 7ft (2.13 meters). This allows two earth burials. In addition, up to six sets of cremated remains are permitted per full burial plot. All coffins or other receptacles shall be buried in accordance with the requirements of Part 1 of Schedule 2 of the Local Authorities Order 1977. Plots for cremated remains are excavated to a depth of 18 inches (0.46 metres). Up to two sets of cremated remains are permitted per cremated remains plot.
- (j) Following an interment, a grave will subside over a period of time and re-leveling/returfing of the affected area will take place as the grave settles. No person other than the duly authorised officers or servants of Hungerford Town Council shall interfere with or alter the turfed or unturfed areas of the grave except for the purpose of a further interment therein.

4. Headstones and other memorials

- (a) Full details of any proposed headstone, memorial or other articles intended to be placed on any grave or interment plot, or any alterations to any existing memorials, together with any sketches, designs, drawings and proposed inscription, shall be submitted to the Clerk for approval prior to erection along with a completed Memorial Application Form and payment of the appropriate fee.
- (b) The Council reserves the right to refuse such approval for any such headstone, memorial or other articles which may be considered unsuitable, unsightly or inconsistent with the overall appearance and character of the Cemetery.
- (c) Any items erected or placed on or alongside any grave or interment plot or in any other part of the Cemetery without such approval or whose design, dimensions, positioning or appearance shall be inconsistent with the details previously submitted may be removed by the Council at any time after the expiry of 14 days after prior notice has been given to the owner of the grave or interment plot. The Council may also remove items which have become damaged, unsightly or potentially dangerous due to natural deterioration over time or any other cause.
- (d) No memorials shall be removed from the Cemetery without the consent of the Council. The painting of gravestones and memorials is prohibited. No vaults of any kind or stone surrounds will be permitted.
- (e) No grave surrounds, kerbs, fencing, stone edging, railings, flat stones laid horizontally, chippings, nor memorials, glass, metal or plastic blocks, wooden crosses and shepherd's crooks, metal vases, or other structures enclosing graves, other than headstones, are permitted in the newest section of the Cemetery (Section F). In particular, the erection of decorative borders is not permitted.
- (f) Headstones shall not exceed 3'6" (106.5cm) in height, be less than 1'6" (45.5cm) nor more than 2'3" (68.5cm) wide or be less than 2" (5cm) nor more than 5" (12.7cm) in thickness. The top surface of any base slab must be flush with the level of the surrounding grass or ground. Headstone bases shall not be more than 2'6" (76cm) wide nor longer than 1'6" (45.5cm) from front to back. Headstones must be vertical and must be erected at the head of the grave.

- (g) Each plot in the Garden of Remembrance shall be covered by a flat stone of neutral hue of size 18" x 18" (45.7cmx45.7cm) laid flush with the surrounding grass. Stones shall be set 10" (25.5cm) apart in rows and the rows shall be 10" (25.5cm) apart. The centres of the stones should be in line with the centres of the end-of-line markers. No other memorial of any kind shall be permitted. Stones should be laid and inscribed as soon as possible and in any event within one year after interment failing which the Council may place a plain stone slab to mark the plot.
- (h) All memorials must be kept in good repair by their owners at all times. If any memorial shall fall into disrepair it may be repaired or removed by the Council after giving prior reasonable notice and the expenses of repair or removal shall be recoverable from the owner. The Council will regularly check the safety of memorials in accordance with current recommended guidelines.
- (i) All installations must be carried out in compliance with the National Association of Memorial Masons' Code of Practice and current statutory regulations. A list of recommended stonemasons may be obtained from the Council office. Should you wish to use an alternative stonemason the Council may require proof of their Association membership and satisfactory evidence of good quality workmanship and experience.

5. Flower Displays

- (a) Flowers to be placed or displayed on graves or interment plots must be fresh or made of biodegradable materials. No other forms of artificial flowers or decorations are permitted.
- (b) Vessels for permanent displays of flowers should be made of suitable materials other than glass and should be placed on, or set fully into, the memorial base. The opening of any vessel set into any stone in the Garden of Remembrance must be level with the top surface of the stone.
- (c) Free-standing vases may be placed on any grave or plot in the Garden of Remembrance but at the owner's sole risk as to loss or damage.
- (d) No shrubs, bushes or trees are permitted
- (e) Christmas wreaths are permitted (but must be removed by 1st March)
- (f) The Council reserves the right to remove unsuitable vases or displays forthwith and dead or artificial flowers after a reasonable passage of time. Vases and displays may also be removed temporarily during maintenance of the Cemetery.

6. Damage, nuisance and insurance

- (a) All damage howsoever caused to any part of the Cemetery or anything within it shall be repaired forthwith to the satisfaction of the Council by the person causing it, failing which the Council shall be entitled to carry out such repair at such person's expense.
- (b) No person shall in the Cemetery or any part of it:
 - (i) use weed killers or other chemicals save with the Council's consent
 - (ii) drive or park any motor vehicle or motorcycle other than on the carriageway and parking areas provided
 - (iii) allow any dog belonging to him or in his charge to enter or remain in the Cemetery unless held under proper control on a lead. Dog owners/handlers must ensure any fouling is cleaned up immediately
 - (iv) cause any damage, nuisance or disturbance or behave in an unseemly or improper manner
 - (v) use film or photography save with the Council's consent.
- (c) The Council cannot provide insurance against damage to memorials or graves. Owners are recommended to make their own insurance arrangements.

7. Enforcement and Variation of Regulations

- (a) Any person who contravenes any of these Regulations may be liable to civil proceedings at the instigation of the Council or to prosecution under the Local Authorities Cemeteries Order 1972 or such other statute law as shall be applicable from time to time.
- (b) The Council reserves the right to vary, add to, amend or delete any of these Regulations or of the fees, charges and other details set out in the Schedule at any time. Following any variation, the full text thereof shall be suitably published.

8. Miscellaneous

- (a) A plan of the Cemetery showing the position of every grave, is kept at the Council Offices and may be inspected during normal office hours without charge.
- (b) The Council shall keep the turfed areas mown at its own expense but will not undertake to keep clean or maintain memorials as this is the responsibility of the owner.