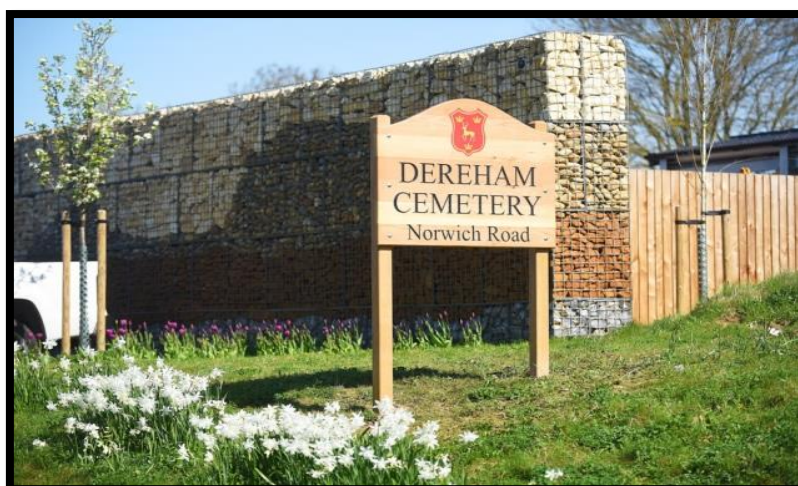


Cemetery

Rules & Regulations



Cemetery Road



Norwich Road

Dereham Town Council



Rules and Regulations made by the Council for the Management of Dereham Cemeteries

Dereham Town Council welcomes all visitors to our cemeteries in Dereham and asks that visitors respect the peace and dignity of these facilities as well as other users. These Rules & Regulations have been drawn up by Dereham Town Council to ensure that the cemeteries are managed and used in a sensitive and appropriate way for everybody. These are communal spaces for quiet reflection and remembering our loved ones. Although these regulations are a requirement for the management of the cemeteries, every effort has been made to avoid restricting the rights and choice of the individual.

Dereham Town Council under the Local Authorities' Cemeteries Order 1977 is responsible for regulating two cemeteries in the town. It is required by that Order to set out regulations to provide a safe and dignified environment for all visitors, and can do anything considered necessary for the proper management of these cemeteries. These Rules and Regulations will be applied and enforced by designated officers working for Dereham Town Council, and come into effect three months after a burial has taken place.

Our two cemeteries are located on Cemetery Road and Norwich Road. The office for both is based at Dereham Town Council, The Assembly Rooms in Quebec Street.

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Interments

1. Hours of Interment

- a. The hours during which interments may take place are as follows:

1 April – 30 September

Mon: 12pm – 3pm

Tues to Fri: 9am – 3pm

1 October – 31 March

Mon: 12pm – 2pm

Tues to Fri: 9am – 2pm

- b. No interment can take place other than between these times, except with special permission of the Council.
- c. For any interments booked outside of these times, an additional charge per hour will be applied.
- d. 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.

2. Selection of Grave Space

- a. Cemetery Road

There are a limited number of plots available on Cemetery Road, and as such an interment can only take place with the purchase of Exclusive Rights of Burial. More information on this can be found on page 4.

- b. Norwich Road

The grave spaces, whether for immediate interment or a reserved grave, are used in consecutive order, or as required by the Council. The wishes of the family will be taken into consideration and met as far as is practicable, but please be aware selection of a specific grave space is not possible. All new graves at Norwich Road Cemetery, with the exception of children graves, will be dug to double depth (6ft 6ins).

3. Notice of Interment

- a. An “Interment Information Sheet” must be completed and delivered to Dereham Town Council in order to confirm a funeral date and time. This, along with the coffin/casket size, must be received at least three working days prior to the date of the funeral. Where the interment is to take place in a purchased grave, the Grant Number or any relevant written permissions must be provided with the Interment Information Sheet.

4. Burial or Scattering of Cremated Remains (Ashes)

- a. These rules and regulations shall apply to the intended burial or scattering of cremated remains in the cemetery, in the same way as they apply to burials.

5. Memorial Removal

- a. The person arranging the funeral – in most circumstances the Funeral Directors - must arrange, where necessary, for memorials to be removed from the grave to allow graves to be reopened. Responsibility for any memorial removed in error will remain with the Funeral Director at whose expense the memorial will be reinstated to the satisfaction of the grave owner.
- b. Reinstatement of a headstone memorial following an interment is not advisable for a period of six months.

6. Alterations of Arrangements

- a. Any alterations to arrangements must be made in writing and received no later than 48 hours before the burial is due to take place. The Council will not accept any order given verbally or by telephone, unless it is confirmed immediately in writing.

7. Exclusive Right of Burial (EROB)

- a. In the purchase of an EROB for a grave space, a Deed of Grant will be issued by the Council to the person by whom the EROB is purchased, and such person shall be registered by the Council as the owner of the Grant. This Grant is valid for a period of 60 years although, at the discretion of the Council, this may be renewed for a further period of time on expiry.

- b. The purchaser is not buying the land, only the right to be buried there. The person who has purchased the right of burial can determine who may be interred in the grave. Wherever possible, the Deed of Grant should be produced whenever an interment takes place.
- c. No grave in which the EROB has been purchased shall be opened without the production of the Deed of Grant, and the written consent of the owner or his or her representative. However, in cases where the Deed of Grant has been lost or misplaced, or where the consent of the owner cannot conveniently be obtained, the grave will be opened on the application of any person whom the Council may consider entitled thereto, on such person making a Statutory Declaration and giving an indemnity to the Council.
- d. Any change of address must be notified to the Council in order that up-to-date records are maintained and so that the Council is able to contact grave owners as and when required. No responsibility can be accepted for information which does not reach a grave owner if the Council has not been informed about a change of address.
- e. In the event that the owner of an Exclusive Right of Burial wishes to return this right to the Council, details of the process will be provided on request. No refund will be made if any burials have been made in the plot. In the event that the plot is empty, a refund will be payable according to the amount of unexpired whole years remaining on the exclusive right. An administrative fee will be charged.

8. Table of Fees

- a. A table of fees and charges payable to the Council for interments and other uses of the cemetery can be found within a separate booklet. Copies can be obtained from the Council offices, or via email or website.
- b. All fees must be received prior to the interment or erection of memorial.
- c. There are two rates of fees – labelled parishioner or non-parishioner. The fee applied will be based on the deceased's address. If the deceased was resident in a care home, then

their address prior to entering the home will determine parishioner or non-parishioner rates. If, prior to entering the care home, the deceased was a resident of Dereham, then parishioner rates apply. For all other occasions non-parishioner rates apply.

Burial Procedures

9. Digging of Graves

- a. No grave shall be dug or excavated except by persons appointed by the Council.
- b. Persons who are authorised by the Council will ensure the back filling of any graves as necessary. However, in the event of relatives and friends wishing to do so, this will be permitted at the discretion of the Funeral Director and with a minimum of 48 hours notice prior to the Council. The Funeral Director will be responsible for any arrangements, including risk assessments, relating to any additional activities at graveside.

10. Arrival of Funerals at Cemetery

- a. The time stated for a funeral to be at the cemetery should be punctually observed so as to prevent inconvenience or the possibility of one funeral interfering with another. Any funeral arriving before or after the appointed time must act under the direction of the designated Officer as to when the burial may proceed. Late arrival could incur additional charges.

11. Disposal Certificate

- a. The Disposal Certificate given by the Registrar of Births and Deaths or an Order of the Coroner must be delivered to the Council before burial will be allowed to take place.

12. Spiritual Leaders

- a. Burials may take place with or without a religious service. It is the responsibility of the party ordering the grave to arrange for a minister or other person authorised to officiate at the burial.

13. Cremated Remains

- a. The burial of cremated remains is allowed in grave spaces in the cemetery.

14. Identification

- a. The Coffin/casket must show the name of the deceased. The identity shown on the coffin/casket will be verified to the Council's officer in attendance at the funeral by the Funeral Director at each burial service.

15. Number of Burials in a Grave

- a. A grave space will be expected to allow two interments. However, soil or ground conditions may occasionally dictate otherwise, in which case a lesser number of interments will be authorised. The Council will not accept liability or responsibility in any way should the number of interments authorised for a grave space be less than the number proposed, or intended by the owner if Exclusive Right of Burial has been purchased.

16. Grave Re-instatement

- a. Whenever an interment has taken place, the grave will continue to settle for a period of time. This is quite normal. During this time, the grave will be levelled with top soil by the Council as and when required. The turf will be replaced upon levelling.
- b. Families should be aware that there may be an occasion where we will need to excavate the grave at the side or foot of the grave of a loved one. We may have to place boards and soil over the grave, and this may prevent them from visiting the grave for a short period of time (certainly no more than 48 hours). We only do this if we cannot place the soil or boards elsewhere. We will ensure headstones are covered, and any temporary memorials may be removed to keep them safe. After the funeral, we will leave the area neat and tidy and as we found it.
- c. All grave mounds will be removed six months after the date of interment. Temporary markers must be erected by the Funeral Director, but may be removed after twelve months from the date of interment. Temporary markers must be removed when a memorial is erected. If the family wish to have this returned to them, they must ensure they inform the Funeral Director, Stonemason or the Council accordingly.

Memorials

17. Fixed Memorials

- a. No memorial shall be erected upon any grave unless an application for permission to erect a memorial has been made by the registered owner and approved by the Council. For memorials at Norwich Road cemetery, a Memorial Grant must also be completed.
- b. Concrete plinths for the erection of an approved memorial at Norwich Road Cemetery must be 4ft in length (48 inches), centred on the grave. Plinths can be provided by the council.
- c. The headstone and base must not exceed 30ins in width and 4ins in thickness.
- d. A maximum of two vases are permitted per grave – these must be securely fixed to the base and form an integral part of the overall memorial.
- e. It is not permitted to place a flat tablet onto an existing grave with a headstone.
- f. In the case of more than one person wishing to erect a headstone or tablet on a grave and there is no owner of the grave space, preference will be given to the next of kin as listed on the Interment Information Sheet. If there is any dispute between parties, the Council may refuse to allow a headstone or other memorial until the dispute has been resolved.
- g. All private graves and memorials shall be kept in good repair by the owner. The Council shall have the power to remove any material, inscription or enclosure which they may deem objectionable and against the rules and regulations, or which may have fallen into disrepair or decay. The Council will not be responsible for any damage caused in the Cemetery by vandalism, gales, ordinary wear and tear, or any other circumstance beyond their control.
- h. The full design and installation specification must be provided by the monumental mason to the Council in advance of any works commencing on site.

- i. The Council reserves the right to refuse to allow the placing of an inscription upon any memorial if, in the opinion of the Council, it is deemed to be libellous, inaccurate or likely to cause offence to any person or body of persons.
- j. Any memorial that is erected without the written permission of the Council is unauthorised and may be removed and stored until such time as a proper application is made and approved. A fee will be charged in respect of the removal and storage in addition to the appropriate erection fee. The Council will take reasonable steps to ensure the safe removal and storage of any unauthorised memorial but will not be held responsible for any damage that may occur as part of this process.
- k. No erection or other works to memorials will be permitted in the cemeteries at weekends or on public holidays, excepting remedial works in response to health and safety issues. Any such works will be permitted at the Council's discretion and with formal written approval.
- l. All monumental masons carrying out work in the cemeteries shall have at least one person on site that has been registered, or is in the process of being registered with the National Association of Monumental Masons (NAMM).
- m. All memorials of 625mm or over (in height) must be designed and erected in full compliance with BS8415.
- n. Each memorial shall have the mason's name and the number of the grave present.
- o. Monumental masons should follow the BRAMM (British Register of Accredited Memorial Masons) guidelines (Blue Book) with regard to ground conditions, foundation design, joints and assembly. The Council may insist on corrective or remedial works if, in the opinion of the Council, a memorial has not been designed and/or erected in compliance with the BRAMM guidelines.
- p. The Council will carry out a continuous programme of safety inspections to establish whether memorials are at risk of

falling and causing damage or injury. If any memorial is found to be unsafe the Council has a duty to minimise the risk and will take the action which best suits the circumstances relating to the individual memorial. Action may need to be taken immediately following an inspection.

- q. Whenever a new memorial fails an inspection or fails to meet the criteria detailed in these rules and regulations, the Council will, in accordance with the circumstance of each individual memorial, take appropriate action to remove any health and safety risks. The Council reserves the right to charge an administrative fee to the monumental mason or to the person whose order the memorial works were carried out, to cover any costs incurred in this process, including any remedial action(s), inspections and all correspondence.
- r. Any corrective or remedial works relating to the above points must be completed to the Council's satisfaction within 28 days.
- s. All rubbish and surplus materials of any kind arising from an erection, removal, repair, alteration or cleaning of any memorial must be removed from the cemetery by the monumental mason or person who has carried out the work. Should any such material be left by persons working on memorials, the cost of removal and disposal may, at the Council's discretion, be recharged to the monumental mason who submitted the memorial application or the person to whose order the memorial works were carried out.

18. Cremation Plots

- a. All memorials for cremation plots will be no larger than 18" x 18" x 4". Headstones/reclining tablets should be no larger than 15" x 15" x 15". At Norwich Road cemetery, all tablets must be placed on a base provided by the Council.
- b. Permission must be requested for any vase to be kept on the base. No other receptacle will be permitted. The Council may remove any other objects which are not authorised.

19. Kerbed Section

- a. Adult kerbed graves are only permitted at Norwich Road Cemetery within the Aspens section.

20. Temporary Memorials

- a. Temporary items must be placed on the plinth (the base the headstone sits on) or in the absence of a plinth, in line with neighbouring headstones. Any items found to be left upon the actual grave space will be moved onto the plinth. If there are a large number of items that cannot all be moved onto the plinth, the owner of the grave will be informed by letter and requested to remove the items. If the grave owner has not done so within a reasonable time-frame then the items may be removed by the Council. These will be stored on site (space permitting) for up to three months and arrangements can be made to collect these items by contacting the Council. The Council cannot accept responsibility for the safety of such items and can only store them for up to three months subject to suitable space being available. This rule does not apply to kerbed graves. Please see “Memorial Guidance” leaflet for more information.
- b. The Council is not responsible for any item placed in the cemeteries by grave owners or visitors.

21. Memorial Plaques

- a. A memorial plaque can be erected at Norwich Road cemetery in the Shelter of Remembrance. These are primarily for those who choose to scatter loved ones cremated remains within the cemetery grounds.
- b. The plaques are 150mm x 180mm x 21mm made from solid oak and wax sealed. They can be engraved with wording of your choice, using one of three fonts available. The plaque will be on display in the shelter for a period of either 10 or 20 years. Current pricing can be found within the Cemetery Fees brochure, and more information can be obtained from the Council office.

22. Memorial Benches

- a. No new memorial benches are currently being allowed in the cemeteries. Any replacement of an existing memorial bench must be approved by the Council.

Children Graves

23. Interments

- a. The Council will seek to accommodate the reasonable requests of the families of children and will explain if, for any reason, certain requests cannot be met. Children can be buried in either the designated children's section or in an adult grave.
- b. All plots in the children's section will be allocated consecutively by the Council.

24. Memorials

- a. Memorials fixed in a designated children's section must not be any larger than 24ins in height. Kerbs are permitted but must not exceed 34ins.
- b. Families may place items of remembrance within the kerbed area of the grave. However, grave owners must be aware that the Council accepts no responsibility for the safety of such items and any such items are always left entirely at the grave owner's own risk. For this reason, the Council advises against placing any items of significant value. The Council may remove any glass vases, jars or other fragile materials which have been placed on the grave if, in the opinion of the Council, they present a health and safety risk (particularly if damaged).
- c. Items found to be outside the personal grave space will be moved back into the personal grave space. Where there are a large number of items that cannot all be moved into the personal grave space the owner of the grave will be informed by letter and requested to remove the items. If the grave owner has not done so within a reasonable time-frame then the items may be removed by the Council. These will be stored on site (space permitting) for up to three months and arrangements can be made to collect these items by contacting the Council. The Council cannot accept responsibility for the safety of such items and can only store them for up to three months subject to suitable space being available.
- d. Noisy items and lights are not permitted.

General Rules & Regulations

25. Floral Arrangements

- a. All floral arrangements will be removed two weeks after a funeral has taken place in order to keep the cemetery in a tidy condition. No shrub or plants must be planted on any grave space.

26. Hours of Admittance to the Public

- a. The Cemetery will be open to the public 365 days a year.

27. Location of Graves

- a. Plans showing the location of each grave are kept at Dereham Town Council offices in the Assembly Rooms, and may be inspected during normal office hours.

28. Offences

- a. Attention is drawn to the Local Authorities' Cemeteries Order 1977 and any amendments thereto. This Order provides that 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 or vault, any tombstone or other memorial, or any flowers or plants on any such matter;
 - v. Play any game or sport in a cemetery.
- b. Every person who contravenes any of the prohibition specified above shall be liable on summary conviction to a fine not exceeding £100 and in the case of a continuing offence to a fine not exceeding £10 for each day the offence continues after conviction, in accordance with articles 18 and 19 of the Local Authorities Cemeteries Order 1977. The amounts of these fines are subject to future variation.

29. Exclusion of Persons from the Cemetery

- a. All persons visiting the cemetery must conform in all respects with these Rules and Regulations. The Cemetery Manager may, at their discretion, exclude from the cemetery any member of the public or any person who infringes these Rules and Regulations in any way.

30. Unruly Behaviour

- a. No person shall in the cemetery by any violent or indecent behaviour, prevent, interrupt or delay the decent and solemn interment of any body. All persons visiting the cemetery shall conduct themselves in a quiet, orderly and decorous manner. Any person who wilfully damages, defaces or destroys any property or causes any nuisance within the cemetery will be liable to prosecution.
- b. The consumption of alcohol within the cemeteries is strictly prohibited.

31. Advertisements

- a. No person shall be allowed to distribute business cards or advertisements within the cemetery.

32. Funerals for Large Assemblies

- a. If the burial is one at which a large number of persons (over 50) are expected to assemble, that fact must be notified to the Council at least one clear day before the funeral, so that arrangements can be made accordingly.

33. Animals

- a. A person shall not allow any dog belonging to them or in their charge to enter or remain in the cemetery unless on a lead. All dogs are kept under strict control at all times.
- b. The riding of horses through the cemeteries is strictly prohibited.

34. Control of Vehicles

- a. No vehicle of any nature must be driven at a speed greater than 4 miles an hour within the cemetery. No vehicle is permitted to park or drive on any grassed areas within the cemetery. The Council has the authority to prevent cars from entering the cemetery during maintenance works. No person will be permitted to ride a bicycle, tricycle, auticycle or motorcycle within the cemetery.

35. Children

- a. Children under the age of 12 years of age will not be permitted in the cemetery except under the care of a responsible adult.

36. Litter

- a. No person shall drop, throw or otherwise deposit or leave in the cemetery any waste paper or refuse of any kind, except in the receptacles provided for that purpose.

37. Photographs

- a. The taking of photographs within the cemetery shall be subject to the approval of the Council, who may demand production of the Deed of Grant of Exclusive Right of Burial or an indemnity in the Council's favour where it is proposed to photograph a private grave or memorial.

38. Exhumation

- a. Once a body or ashes remains have been buried, they can only be removed a licence granted by the Ministry of Justice. In the case of consecrated ground, consent from the Church of England (called a faculty) will also be required. Any disturbance of remains is deemed to be an exhumation.

39. Power to Make Alterations to the Regulations

- a. The Council reserves the right from time to time to make alterations or additions to the foregoing Rules and Regulations consistent with the Burial Act.



July 2020