

Eckington Civic Centre
Market Steet
Eckington
Sheffield
S21 4JG
www.eckington-pc.gov.uk
clerk@eckington-pc.gov.uk



Tel: (01246) 432770
Mob: 07715668815



@Eckington Parish Council



@Eckington_PC

Cemetery Rules and Regulations August 2020

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Introduction

The Eckington Parish Council manages and maintains the Cemetery on Sheffield Road.

All burial facilities are managed by the Cemetery Administrator.

The Cemetery Administrators Office is located as follows:

Eckington Parish Council
Eckington Civic Centre
Market Street
Eckington
S21 4JG

Mobile: 07715663946

Admin@eckington-pc.gov.uk

www.eckington-pc.gov.uk

The Cemetery Address is as follows:

Eckington Cemetery
Windmill Greenway
Eckington
Sheffield
S21 4LP

To enable operations in the Cemetery to be effectively managed, and the grounds maintained for the benefit of all who visit, it is necessary to impose a number of restrictions. This document outlines those restrictions in the form of Rules and Regulations.

1 Cemetery Rules and Regulations

These Regulations have been made by the Eckington Parish Council in relation to the Sheffield Road Cemetery.

The Parish Council reserves the right to make alterations, additions or amendments to the Rules and Regulations from time to time as necessary or desirable.

1.1 Throughout these regulations the following definitions apply:

"The Cemetery" means the Sheffield Road Cemetery

"The Council" means the Eckington Parish Council

"The Administrator" means the Cemetery Administrator, or a person for the time being carrying out the duties of the Administrator

"Grave" means a burial place formed in the ground by excavation and 'without an

internal wall or brickwork or stone work or any other artificial lining

"Brick lined Grave" means a burial place formed in the ground by excavation with an internal wall or which is backfilled with soil

"Vault" means an underground burial place with an internal wall of brickwork and a concrete base which is divided into separate chambers each of which is sealed in an approved manner after each interment and the vault sealed with top covers "Working Days" means the days on which the Cemetery and Office is open

1.2 The Cemetery Grounds shall be open at the following times:

	Monday to Saturday	Sunday
January and December	9.00 am - 4.00 pm	10.00 am - 4.00 pm
February and November	9.00 am - 5.00 pm	10.00 am - 5.00 pm
March and October	9.00 am - 6.00 pm	10.00 am - 6.00 pm
April and September	9.00 am - 7.00 pm	10.00 am - 6.00 pm
May, June, July and August	9.00 am - 8.00 pm	10.00 am - 6.00 pm

The Council reserves the right to close the Cemetery at any time without notice.

1.3 The Cemetery Office shall be open at the following times:

Monday to Friday 9.30 am - 3.00 pm

1.4 Searches of the Register of Burials may be made at the Cemetery Office or on-line at www.eckington-pc.gov.uk. Where a written request is made or where a certified extract is required then these will be provided (at the discretion of the Administrator) on payment of a £25 fee.

2 Arrangements for a Burial

- 2.1 Reservations for a burial may be made by telephone during office hours or in writing to the Cemetery Office for a new grave, where the current grave owner is the applicant or where the current grave owner is the deceased. Reservations will be regarded as provisional until formal notice as required by paragraphs 2.2 or 2.3 has been received.
- 2.2. Notice of burial is given when all forms and certificates required to fulfil statutory requirements, and those required by the Council, are received at the Cemetery office no later than two full working days before the proposed date of the funeral.
- 2.3 For the burial of a stillborn child a Certificate in accordance with the Births & Deaths Registration Act 1953 must be delivered to the Cemetery Office.
- 2.4 The Council will not accept responsibility for any delay or misunderstanding which may occur if instructions are given verbally or by telephone. Neither will the Council accept responsibility for any documents lost or delayed by the Post Office.
- 2.5 If the Registrar's Certificate for Disposal, or the Coroner's Order, is mislaid or lost, a declaration to the satisfaction of the Administrator must be made by the person procuring the disposal of the body. The original certificate or duplicate copy issued by the Registrar of Births and Deaths, or the Coroner, must be produced as soon as possible after the signing of the declaration.
- 2.6 The responsibility for making the necessary arrangements for the attendance of priests, ministers, or other persons to officiate at the burial rests upon the Funeral Director or the person arranging the burial.
- 2.7 The time fixed for a funeral must be that when the procession is to arrive at the Cemetery, and it is requested that the time be strictly adhered to in order to prevent inconvenience and one funeral interfering with another. In the event of a funeral arriving late the cortege must wait as and where directed by the Cemetery staff and the burial will take place as soon as possible thereafter at the direction of the staff.
- 2.8 In the case of a funeral at which an exceptional number of persons may be expected, notice must be given at the time of booking.
- 2.9 The Funeral Director or person arranging the funeral is responsible for the provision of sufficient bearers to convey the coffin from the hearse to the graveside.
- 2.10 Only one funeral will be allowed in the Cemetery at any one time unless prior permission is obtained from the Administrator.

- 2.11 The time allowed for a funeral in the Cemetery shall not exceed 20 minutes unless prior approval for a longer period has been obtained from the Administrator.
- 2.12 All fees and charges shall be paid at the Cemetery Office. The fees and charges for any burial shall be paid at the time of giving notice of booking and all other fees shall be paid before the work to which it relates is started. These requirements do not apply to those who pay by account.
- 2.13 The fees charged by the Council include everything connected with the specified items in respect of which an official receipt is given. No person employed by or on behalf of the Council is allowed to receive any gratuity. A list of the current fees and charges may be inspected at the Cemetery Office and on the Council's website.
- 2.14 No body shall be buried or cremated remains interred or scattered over any grave in which an Exclusive Right of Burial exists, unless the owner has given express approval in writing or the deceased is the current owner. In the event of the owner being predeceased an affidavit must accompany the Notice of Interment and a form of indemnity completed and submitted where a Deed of Grant cannot be provided.
- 2.15 The Council reserves the right to delay or cancel any interment where, in its opinion ownership of the Exclusive Right of Burial is disputed.
- 2.16 The selection of any grave space shall be subject to the approval of the Administrator and consistent with the general plan of the Cemetery.
- 2.17 The Council reserves the right to retain any grave space(s) for its own purposes.
- 2.18 A plan of the cemetery showing the position and number of each grave space is kept in the Cemetery Office and may be inspected during normal office hours.
- 2.19 The Council reserves the right to place excavated spoil on graves adjacent to those that need to be opened for an interment, without notice. The spoil will be removed immediately following the interment and the area will be restored to its former condition.

3 Grants of Exclusive Right of Burial

Whilst ownership of an Exclusive Right of Burial for a grave does not give any ownership whatsoever in respect of actual land, it does give the owner of the Deed the right to:

- (a) be buried in that grave;
- (b) authorise further burial(s) in that grave (where space is available), or the interment or scattering of cremated remains in or over that grave;
- (c) erect or place a memorial on that grave subject to the Rules and Regulations of the Council relating to memorials;
- (d) have inscriptions/additional inscriptions placed on a memorial on that grave subject to the Rules and Regulations of the Council relating to this matter.

Possession of a Deed does not necessarily give the person in possession ownership of Exclusive Right of Burial. Where the owner is deceased, subsequent ownership depends upon whether or not the deceased person left a valid will. The law concerning this matter can be very complex and it is strongly advised that a Solicitor be consulted to establish new ownership.

- 3.1 On the purchase of an Exclusive Right of Burial in a grave, a Deed of Grant shall be issued to the purchaser whose name shall be registered.
- 3.2 The exclusive Right of Burial shall extend for 50 or 99 years from the date of purchase. 20 year extensions may be purchased on termination of the original 50 year Deed
- 3.3 The transfer or assignment of a Right of Burial in a grave must be notified to the Administrator who will enter the transfer in the Register of Grants maintained upon the production of the deed.
- 3.4 Where no interment has taken place in a purchased grave the Council may agree to repurchase the grave. In such cases the Council will pay the original purchase price.
- 3.5 Notice for the interment or scattering of cremated remains must be accompanied by the Certificate issued by the Crematorium where the cremation took place.
- 3.6 Persons arranging for a burial in a non-private grave acquire no rights other than that of making a single interment in a grave.

4 Conduct in the Cemetery

- 4.1 All visitors must conduct themselves in a quiet and orderly manner, and no persons showing the effects of excess alcohol or drug abuse will be allowed within the Cemetery grounds. The Cemetery staff have full power to exclude or remove any member of the public at their discretion.
- 4.2 Under the provisions of the Local Authorities Cemeteries Order (1977), it is an offence for a person to wilfully:
 - (a) create any disturbance in a Cemetery

- (b) commit any nuisance in a Cemetery
- (c) interfere with any burial taking place in a Cemetery
- (d) interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants in any such manner
- (e) play any game or sport in a Cemetery
- (f) enter or remain in a Cemetery when it is closed to the public, unless authorised by the Council to do so.

Persons who contravene these provisions shall be liable, upon conviction, to a fine not exceeding £100.00.

- 4.3 Vehicles must not exceed 10 mph in the Cemetery grounds and must park where indicated by the staff who shall have power to exclude any vehicle which is considered unsuitable.
- 4.4 All Dogs are banned from the Cemetery Grounds except guide dogs and support dogs.
- 4.5 No person shall canvas or solicit for orders within the Cemetery unless the prior approval of the Council is obtained.
- 4.6 The permission of the Superintendent shall be obtained before photographing any objects in the Cemetery grounds.

5 Burials

Burials shall Normally take place between 9am-3pm from Monday to Friday. Burials are not permitted on Saturdays, Sundays or Bank Holidays except by the prior permission of the Administrator.

5.1 Burial of Coffin

- 5.1.1 The excavation for all graves and vaults shall be carried out by staff employed by or on behalf of the Council, including sub contractors, and no grave or vault shall be excavated beyond such a depth as the Council may determine.
- 5.1.2 No body shall be buried in a grave in such a manner that any part of the coffin is less than 3 feet (915mm) below the ground except at the Administrator's discretion.
- 5.1.3 No body shall be buried in a grave unless the coffin is effectively separated from any coffin previously interred in the grave by means of a layer of earth not less than 6 inches (150mm) in thickness.
- 5.1.4 No more than 3 bodies shall be interred in one grave.
- 5.1.5 Graves will be sufficiently large to admit coffins/caskets to the dimensions specified by the Funeral Director or the person arranging the funeral on the application form. In the event of a grave having to be enlarged, an additional charge could be levied at the discretion of the Administrator.

- 5.1.6 All coffined burials must take place in coffins of a material and design approved by the Administrator.
- 5.1.7 All coffins must be marked with a non perishable plaque, nameplate, or other means as shall be approved by the Council, showing the name, age and date of death of the deceased. In the case of a stillborn child no age will be recorded.
- 5.1.8 No coffin or part of a coffin shall be removed from the Cemetery grounds without the permission of the Administrator.
- 5.1.9 No body shall be removed from the Cemetery for any purpose whatsoever except on the order of a Coroner, Court of Summary jurisdiction or a Chief Constable.

5.2 Burial of Cremated Remains

- 5.2.1 The excavation for all graves and vaults shall be carried out by staff employed by or on behalf of the Council, including sub contractors, and no grave or vault shall be excavated beyond such a depth as the Council may determine.
- 5.2.2 No more than 4 cremated remains shall be interred in one plot.

5.3 Exhumation

No body or cremated remains shall be exhumed without the consent of the Secretary of State for Home Affairs and/or the Faculty of the Bishop of the Diocese.

6 Memorials

The Cemetery grounds, including the Garden of Remembrance, are provided for the benefit of everyone and, because of this, private plaques, vases and other monuments or mementos are not permitted. If a personal memorial is desired, details of what is available can be obtained from the Cemetery Office or can be accessed on the Council's website.

- 6.1 Any Memorial companies working in Eckington Cemetery must be registered with the British Register of Accredited Memorial Masons
- 6.2 Monuments, memorials, stones or tablets may only be placed or erected over vaults or graves of which an Exclusive Right of Burial has been purchased, and shall not be placed or erected without the prior written consent of the owner of the exclusive Right of Burial, or without the express approval of the Council.
- 6.3 No permanent memorial shall be placed on a grave until such time the ground is deemed satisfactory to support the weight. This may take up to 12 months after the date of interment. However, a temporary memorial in the form of a wooden cross no bigger than 3 feet high, 2 foot 8" wide and 4" in thickness, may be placed on a grave where approval has been given for a permanent memorial and erection is pending.

- 6.4 No balloons permitted on the memorials.
- 6.5 Any memorials, etc placed in the Cemetery shall remain at the owners risk and the Council shall not be held responsible for any loss, damage or breakage to the same. In this respect, it is strongly recommended that any memorial be adequately insured by the owner.
- 6.6 The permission of the Administrator and the Council must be obtained to place or erect any form of memorial in the Cemetery grounds. A work permit provided by the Council, must be presented to the senior member of staff on site before any work takes place. If a member of staff cannot be located, please call the Cemetery Administrator. Any monument, memorial stone, shrub, plant or item whatsoever erected or placed in the Cemetery grounds in contravention of these Regulations may be removed by the Cemetery staff at any time without notice.
- 6.7 Memorials must be of a material approved by the Administrator.
- 6.8 Before the erection of any tablet, monument, memorial, or stone vase, a drawing with any proposed inscription must be sent in duplicate on the prescribed forms to the Administrator for the approval of the Council. The type of material to be used shall be stated, together with exact dimensions and all associated details. The application forms must be duly signed and dated by the registered owner of the exclusive Rights of Burial or, in the event of the death of the owner, an indemnity must be fully completed and submitted.
- 6.9 No memorial may be fixed until formal written approval is given by the Council.
- 6.10 No monument or other memorial shall be altered or interfered with after it has been erected in the Cemetery in accordance with the designs submitted to and approved by the Council. No inscription may be cut, nor work of any kind undertaken to any monument or memorial within the Cemetery without the prior written consent of the Administrator.
- 6.11 No memorial shall be removed from the Cemetery for the purpose of cutting an additional inscription until the formal written approval of the Administrator has been given in respect of the proposed addition.

Any person/business contravening this Regulation will not be allowed to carry out any further work at the Cemetery.

- 6.12 Vases of a material approved by the Administrator up to a height of 12 inches (300mm) are permitted and they must be placed directly in front of the headstone or at the side next to the headstone to allow access for grass cutting. All monuments, memorials, stone vases etc. must be fixed in accordance with the National Association of Memorial Masons Code of Working Practice. All work shall be subject to the directions of the Administrator and any person

carrying out work must adequately protect grass, borders and adjoining memorials. On completion of the work any surplus materials must be removed and the whole site cleared and left in a satisfactory condition.

- 6.13 Kerbstones and footstones (Surrounds) of any description are not permitted in the new part of the Cemetery or the Ashes section. Any surround on a grave will be removed by the Cemetery staff by order of the Parish Council.
- 6.14 No headstone placed in the Cemetery shall exceed 5 feet in height, no more than 3ft wide and 18 inches in depth on the base. The thickness of the memorial should not be greater than the plinth footprint. Desktop memorials for the ashes section must be no more than 20 inches in width or depth. In all cases a fixing diagram must be submitted for the approval of the Administrator. Should any memorial application submitted be outside of these parameters, the application will be subject to full council approval at the next available Council meeting.
- 6.15 All work carried out by Stonemasons must be in accordance with the National Association of Memorial Masons Code of Practice. Any person contravening the Code of Practice will not be allowed to carry out any further work at the Cemetery.
- 6.16 Masons working in the Council's cemeteries must give a guarantee of workmanship (minimum 10 years).
- 6.17 The Council reserves the right to lay down and make safe any monument which is dangerous and unsafe.
- 6.18 The purchaser of a memorial becomes the owner of that memorial and is strongly recommended to insure the memorial for liability of causing injury to a third party.
- 6.19 The person (Firm) erecting a Headstone or Vase shall ensure that the relevant Grave Number is inscribed 2 inches (50mm) above ground level. The concrete under plinth shall be 1 inch below ground level
- 6.20 The name of the Stonemason must be inscribed in an appropriate place on the memorial. Addresses or contact details are not permitted.
- 6.21 All Stonemasons visiting the Cemetery for the purpose of installing monuments/vases must not cause any damage to the road, paths or turf.
- 6.22 No memorials or materials may be taken into the Cemetery before 8.30 am on any working day or on Bank Holidays, Saturdays or Sundays unless the Administrator has given prior consent.
- 6.23 All Stonemasons working in the Cemetery must leave the Cemetery by 5.00 pm or the hour of closing, whichever is earlier.

- 6.24 All dressing or working of stone/slate must be undertaken outside the Cemetery except where it cannot be avoided. All surplus materials must be removed from the Cemetery.
- 6.25 The construction of grave mounds is not permitted.
- 6.26 Memorial Plaques
- (a) All memorial plaques are to be ordered through the Administrator. They will be of a standard size, 6 inches by 4 inches(150mmx100mm), and will be fixed by the Cemetery employees on the memorial wall. Memorial plaques must be fixed in the Memorial garden area and not elsewhere.
 - (b) All plaques placed on the "Ashes Burial Area" have to be 18 inches by 18 inches (450mmx450mm) and placed in accordance with the directions of the Cemetery Administrator.
- 6.27 The planting of shrubs etc. on graves is not permitted. Unauthorised shrubs/plants etc will be removed by the Cemetery staff.
- 6.28 Removable ornaments and decorations are permitted in the first 12" from the headstone of graves

7 General

- 7.1 On the day of a funeral, flowers and wreaths may be placed on the grave in which the burial takes place and left there for 7 days, after which the Cemetery staff will remove them.
- 7.2 When the flowers and wreaths have been removed from the grave nothing else may be planted in the grave area. Any item planted on the grave will be removed without notice.
- 7.3 Any item which interferes with the maintenance of the Cemetery will be removed.
- 7.4 As soon as practicable after the interment of a body, the grave area will be turfed or grass seed sown.
- 7.5 The Council will maintain the whole of the grassed area of the grave.
- 7.6 No monument, vase or plaques may be placed or erected on the grassed area of a grave.
- 7.7 Only memorial plaques are allowed to be attached to benches.
- 7.8 All visitors to the Cemetery must abide by these regulations and respect the nature of this area.

- 7.9 In order to respect the well-being of visitors to the Cemetery the Parish Council has banned dogs, with the exception of guide and support dogs, from the Cemetery grounds.
- 7.10 The Parish Council reserves the right to remove any item which in its opinion detracts from the cemetery setting as a whole or is considered to be a health and safety hazard.
- 7.11 Any Christmas themed items must be removed on or just after 7th January, items found on graves or benches after this date will be removed by Cemetery Staff and saved for collection until 31st January.