



FOUR MARKS PARISH COUNCIL

CEMETERY REGULATIONS

APRIL 2021

INTRODUCTION

Four Marks Cemetery is situated at Brislands Lane, Four Marks, GU34 5AF and has been owned and managed by Four Marks Parish Council ('the Council') since its inception in 1966.

The following regulations have been made by the Council and are supplemental to the provisions of the Local Authorities Cemeteries Order 1977.

For any help or advice regarding these regulations, please contact the Parish Office on 01420 768284 or email clerk@fourmarks-pc.org.uk

INTERMENTS

1. The Council is open for burial bookings and other administrative duties during the published working hours, out of hours enquiries must be emailed.
2. Interments are permitted between the hours of 9.00am and 5.00pm, or until the sun has set if that is earlier on any day. No interments will take place on Bank Holidays.
3. The Council, as the burial authority, must be given at least 3 clear working days' notice of an interment and this can be done by telephone or email. Shorter notice may be accepted where exceptional conditions necessitate. The notice of interment is the confirmation of the booking and must contain full details of the deceased and include the interment date and the size of the coffin.

The interment form must be signed by: -

- i. The applicant for the Exclusive Right of Burial ('burial rights').
 - ii. The owner/s authorising the opening or re-opening of the grave, unless the owner is the deceased, and no transfer of burial rights has taken place.
4. The certificate for Burial or Cremation or, where an inquest has been held, the Coroner's Certificate will be handed to the Council either before or at the time of the interment. For the burial of a still-born child, the certificate of the Registrar of Deaths or of a medical practitioner who was present at the birth, must be delivered to the Council before or at the time of the interment.
 5. Human remains, whether cremated or not, must be enclosed for interment within a casket or coffin of wood or other bio-degradable or perishable material.
 6. Cremated remains must always be interred in a purchased grave, which may be either one of the designated cremated remains plots or a family grave in which the burial rights have already been granted from a previous interment.

7. Only human remains shall be interred within the Four Marks Cemetery.

GRAVES

8. The Clerk acting on behalf of the Council will select the grave plot. In some cases, it may be possible for families to select a grave plot of their choice.
9. The Council does not undertake the digging or refilling of graves. The allocated grave will be marked with grave number and surname of the deceased to be interred for the person/s arranging the interment. They will be responsible for ensuring that the marked grave is opened, or re-opened, and that it is dug in the correct position and depth, length and width, as detailed below. The Council requires that safe practices are observed at all times during the digging process, including the use of shoring and lock down covers. The Council shall not be responsible for the consequence of any error but reserves the right to stop the grave digging process if guidance is not adhered to.
 - i. Full burial plot.
Plot size 275cm x 122cm (approx. 9'x4' dependent upon coffin size)
All initial interments must be in a double depth plot ie. shall be a minimum depth of 1.83m (6') below the normal ground level with at least 145cm (4'9") of earth over the coffin. For second burials there must be at least 92cm (3') of earth between the top of the coffin and normal ground level. A minimum of 60cm (2') must be left between graves.
 - ii. Cremated remains.
Plot size 46cm x 46cm (1'6"x 1.6")
Any first interment must allow for a subsequent Interment with a minimum of 30cm of topsoil covering (1').
10. The person arranging the interment is also responsible for the returfing of the surface of the grave immediately after the burial (if applicable) in such a way as to allow for settlement.
11. Surplus soil remaining after the refilling of a grave shall be deposited within the allocated area in the Cemetery or as directed, which may include removing the soil entirely.
12. Any issues that arise during the grave digging process that might affect the reopening of the grave must immediately be reported back to the Council.

GENERAL MAINTENANCE

13. The Council does not undertake the maintenance of individual graves other than by arrangement with the Commonwealth War Graves Committees and is only responsible for the general upkeep and order of the Cemetery as a whole and reserves the right to cut the grass or excess shrub growth on any grave, owned or common.

14. Small plants/shrubs (max. growth height 100cm/3'3") may be grown within the interment area (60cm x 180cm / 2' x 6') on graves, but **not** on cremated remains plots. The Council reserves the right to remove any plants or shrubs that exceed these parameters and/or the boundary of the plot. Non attended plots will be topped up and grassed over.
15. Artificial flowers and Christmas wreaths are only acceptable if professionally produced and shall be removed if considered, by the Council, to have deteriorated.
16. Bottles, glass, china, tins, and any other unsuitable containers of breakable material are not permitted as damage to which can constitute a safety risk to visitors to the Cemetery and maintenance contractors.
17. Stones, gravel or flint coverings are not permitted on any grave space due to the damage to grass cutting equipment and risk to contractors and visitors to the Cemetery.
18. The Council reserves the right to remove any items contrary to any regulation having written to the last known contact and received no response after 30 days.

PRE-PURCHASE OF GRAVES

19. The Council will endeavour to enable a member of the public to pre-purchase the burial right of a particular grave space. Please note that the pre-purchase fee is in addition to any future burial fee.
20. No grave in which a burial right has been purchased can be opened or re-opened without the written consent of the deed owner/s unless it is the deed owner to be buried.
21. If it is the owner of the deed that has been interred, the burial rights must be transferred or reassigned, if not the ownership reverts to the burial authority (the Council).

EXCLUSIVE RIGHT OF BURIAL

22. An Exclusive Right of Burial enables the Grantee to purchase the right to use the plot for a period of 50 years. The Grantee holds the right to determine who can be buried in the grave.
23. A maximum of three persons can purchase the burial rights. All owners must sign to authorise the reopening of the grave, with the exception of the burial of the registered owner.
24. A common grave has no rights and shall be dug to a double depth to allow a second burial take place in the plot.
25. If a relative of a person interred in a common grave, wishes to be interred in that same grave, the burial rights must be purchased.
26. A common grave may be purchased by the relatives or friends of the first interred at any time, so long as no second interment has taken place.

27. The grant of an Exclusive Right of Burial is at the discretion of the Council, and every application shall be accompanied by the appropriate fee.

MEMORIALS

28. The right to erect a memorial may be applied only when the Exclusive Right of Burial or the Right to Erect a Memorial, as applicable, has been purchased. Only the registered owner has the right to apply for the erection of, or amendment to, a memorial.
29. If the owner is deceased, ownership of that grave will need to be transferred to a person who is legally entitled. The deed must be transferred before the permit on any memorial will be submitted.
30. An application for the right to erect a memorial, additional inscription, refurbishment, re-fix, or replace an existing memorial **MUST BE** submitted to the Parish Council for approval on an appropriate memorial application form and any new application must include: -
- a. The name of the cemetery
 - b. The grave number
 - c. The name of the deceased
 - d. The date of burial
 - e. A description of the proposed works
 - f. The proposed inscription text
 - g. The size of the memorial (including any foundation stones) with a drawing of the proposed headstone with inscription and all dimensions. (See 31 and 32)
 - h. Fixing method
 - i. The name and address of the stonemason (only those registered with either BRAMM or NAMM will be permitted to erect memorials).

Any work carried out on a memorial or inscription **before approval** by the Council shall be at the sole risk of the applicant.

31. On a burial grave only the following types of memorial will be permitted:
- a. A standard four sided headstone no more than 107cm (3'6") high, with plinths contained within the plot size (see 9 (i) above).
 - b. A flush tablet not exceeding 60cm x 30cm (2' x 1')
 - c. A raised tablet not exceeding 60cm x 30cm (2' x 1')
32. On a cremated remains plot only the following types of memorial will be permitted:
- a. A memorial no more than 40cm (16") high, with plinths contained within the plot size (see 9 (ii) above).
 - b. A flat tablet not exceeding 30cm x 30 cm (1' x 1')

33. All memorials must carry the grave number, and be clearly visible, either on the bottom right hand corner of the plinth, in the case of headstones and the front right hand corner for slabs. **No trade names will be permitted.**
34. Any memorial work undertaken must fully comply with the terms and conditions specified in each registration scheme and in accordance with the Cemetery regulations of the Council.
35. Once approval has been received the stonemason **must** advise the Council when it will be installed. The installation shall be carried out in accordance with the approved written procedure.
- Memorials shall be anchored to the ground so that it is securely held but in such a manner that it may be set aside to permit re-opening.
 - No work other than that necessary for assembly or erection of a memorial may be done within the Cemetery; except a second or subsequent inscription may be placed upon a memorial while in situ.
36. All memorials shall be constructed out of natural stone, granite marble or other hard stone, which must be durable and sound. No memorial shall be constructed of Bath, Caen or other soft stone zinc, iron or any other metal, glass, china, plastic or other unsuitable material. The Council has the right to reject any memorial (or inscription) which, in their opinion, is not of suitable style, quality or description, or is likely to give offence. The Council shall not be required to state reasons for its decision.
37. No wooden memorials of any sort will be allowed, *with the exception of* a temporary cross or marker, which should not exceed 90cm (3') above ground level or be 60 cm (2') in width, which shall be removed when a permitted memorial is erected.
38. A grave must be allowed to settle before a permanent memorial is permitted, this is normally between 12 and 18 months. The Council reserve the right to remove any temporary marker after 18 months if no permanent memorial has been erected, or it has fallen into disrepair before that time.
39. No kerb-sets, stones, fencing or ledger stones will be permitted on any grave, unless an older plot when regulations allowed.
40. No more than one memorial can be erected on any one burial grave or cremated remains plot, or plaques affixed to existing memorials.
41. No work on memorials shall be carried out on Saturdays, Sundays or Bank Holidays.
42. Memorials may not be conveyed from the highway on any vehicle that is not fitted with pneumatic tyres.

CONVEYANCE AND REMOVAL OF MEMORIALS/ MATERIALS

43. No memorial shall be removed from the Cemetery without the authority of the Council.
44. All tools and materials required in the erection of memorials must, whilst in the Cemetery, be conveyed by hand to avoid damage to grass or paths. All tools and materials used in the erection of memorials must be removed from the Cemetery immediately on completion of the work.
45. All surplus material will be removed from the Cemetery. If any stonemason fails to do this the Council reserves the right to carry out the work and charge the relevant person accordingly.
46. If an existing memorial is to receive an additional inscription, or a reopening is to be carried out, any memorial which needs to be removed to allow this process to occur must be removed completely from the Cemetery.

RESPONSIBILITY OF MEMORIALS

47. Any memorial erected in the Cemetery remains the property and responsibility of the owner of the burial rights and remains in the Cemetery at their sole risk. All memorials must be kept in good state of repair. Any disrepair will be notified to the owner of the burial rights or next of kin and if repairs are not carried out within the specified time scale, the Council will be entitled to remove the memorial if deemed unsafe. All repairs must be carried out by a registered stonemason.
48. The Council will not accept liability for damage to any grave or memorial or injury to any person within the cemetery except where such damage is directly attributable to the negligence of the Council or their employees.
49. The Council recommends that the owners take out insurance.

INSPECTION OF MEMORIALS

50. The Council has overall responsibility for the health and safety of all visitors to the cemetery. This includes testing the stability of headstones every three to five years. In certain circumstances, it will be necessary to lay the headstone down or alternatively make it safe with a support. The Council will attempt to contact the burial rights owner, but if the contact details are out of date, a sign will be left on or by the memorial. Please note any repairs required in making the memorial safe are the grave owners responsibility.

FEEES

51. All fees are reviewed annually and must be paid to the Council in advance of the Interment or erection of a memorial.

THE CEMETERY

52. The Cemetery is open between the hours of sunrise and sunset daily, however the Council reserves the right to close all or part of it any time if deemed necessary.
53. Persons within the Cemetery shall conduct themselves in an appropriate manner.
54. Dogs must be kept on a lead, and under control at all times. Owners must clear any dog fouling and dispose of appropriately.
55. No vehicles may drive on the Cemetery grounds, save with the exception of regulation 42, without the specific consent of the Council.
56. No person within the Cemetery shall distribute any trade literature or business card, nor solicit orders.

INTERPRETATION

57. *In these regulations [and in the appended Table of Fees] the following words and expressions shall have the meanings assigned to them:*
 - a. *'Burial Rights' means the Exclusive Right of Burial, the grantee to nominate persons for interment in a grave in respect of which he/she has been granted those rights.*
 - b. *'Cemetery' means the burial ground under the control of the Parish Council.*
 - c. *'Executive Officer' means the Executive Officer for the time being to the Parish Council or any other person to whom the Council has delegated its powers.*
 - d. *'Common grave' means a grave in respect of which the Parish Council has not granted exclusive rights of burial.*
 - e. *'Council' means the Parish Council of Four Marks.*
 - f. *'Fee' means any sum payable to the Parish Council under these regulations.*
 - g. *'Grantee' means a person to whom burial rights in a grave have been granted by the Parish Council or to whom those rights have been validly passed.*
 - h. *'Grave' means a place of, or for, interment in the Cemetery.*
 - i. *'Inscription' means any characters other than those of the serial number of a grave which are placed upon or cut into the surface of a memorial.*

- j. *'Memorial' means an object placed upon a grave to commemorate a person deceased.*
- k. *'Parish' means the civil Parish of Four Marks as from time to time defined.*
- l. *'Parishioner' means either:*
 - i. *a person whose name appears in the Register of Electors of the Parish current at the time of death; or*
 - ii. *a person who has taken up permanent residence within the Parish and whose name, but for his/her death, would have been eligible for inclusion in the Register of Electors of the Parish next succeeding that current at the time of death; or*
 - iii. *a patient or resident of a hospital or other institution, including sheltered accommodation, for the care of the physically or mentally sick or of the aged, or the home of a friend or relative, and who at the date of admission thereto was a parishioner as defined in regulation 571.i and ii; provided that his/her transfer from one such place to another shall not affect his/her status as a parishioner; or*
 - iv. *a person whose nationality debars him/her from inclusion in the Register of Electors of the Parish but who would otherwise be eligible for inclusion in the Register; or*
 - v. *a person under the age of 18 years, a parent or local guardian of whom is a parishioner as defined in regulation 571.i,ii and iii.*

FOUR MARKS PARISH COUNCIL

FOUR MARKS CEMETERY

TABLE OF FEES

EFFECTIVE FROM 1ST APRIL 2019

These charges are effective from 1st April 2019 and may be altered from time to time as the Council decides.

The fees set out below apply where the person to be interred or in respect of whom the right is granted is, or immediately before his/her death was, an inhabitant or parishioner of the Parish of Four Marks or, in the case of a still born child, where the parents (or one of them) are, or in the time of interment were, such inhabitants or parishioners. The term "parishioner" shall include:

- a) Anyone who ceased to be an inhabitant of the Parish less than one year before the date of his/her death;
- b) Anyone whose name appears on the Register of Electors of the Parish in force at the time of his/her death;
- c) A child under 21 years of age, one of whose parents qualifies as a parishioner at the time of the child's death;
- d) A resident of an Old Peoples' Home or equivalent definition who, immediately before entering the Home, was an inhabitant of the Parish.

First interment in a double depth grave	£ 250.00
Second interment	£ 250.00
Child to age 12	£ 15.00
Infants (up to 1 year)	£ 0.00
Ashes Interment	£ 125.00
Memorials (subject to consent of Council)	£ 50.00
Additional name	£ 20.00
Burial Rights/Reserved burial plot	£ 200.00
Burial Rights/Reserved cremation plot	£ 100.00
Right to Erect a Memorial	£ 50.00
Transfer of Burial Rights	£ 50.00
Searches	£ 25.00

Persons from outside the Parish of Four Marks are subject to the above charges but tripled for Burial Rights and the First Interment in a double depth grave or cremated remains, second interments will be double

Clerk to Four Marks Parish Council

April 2019