

REGULATIONS ISSUED TO THE PUBLIC GOVERNING
THE GENERAL MANAGEMENT OF BOURTON ON THE WATER CEMETERY
AND GARDENS OF REMEMBRANCE

The management of cemeteries in England is governed by the legislation set out in the Local Authorities Cemeteries Order 1977. Bourton on the Water Parish Council is the owner of the Cemetery and has set out the following Regulations in addition to the prevailing legislation to ensure that the Cemeteries are maintained in an acceptable, affordable and sustainable manner. In particular, it aims to ensure:

- the ongoing provision of burial facilities for the residents of Bourton on the Water
- the highest possible standards of maintenance within the Cemeteries;
- that all burials taking place within the Cemeteries are conducted in accordance with the prevailing legislation;
- the safety of all visitors to and those working within the Cemeteries.

The following regulations apply to all sections of the Cemeteries and are made by the Council under paragraph 3 (1) of the Cemeteries Order for the proper management, regulation and control of the Cemeteries.

In these Regulations the following words and expressions have the following meanings assigned to them:

“Burial(s)”:	means either a burial or interment of ashes
“Cemeteries”:	means the Cemetery and Gardens of Remembrance owned and operated by the Council and situated at Cemetery Lane, Bourton on the Water
“Council”:	means Bourton on the Water Parish Council
“Council Office”:	means the office of Bourton on the Water Parish Council, currently situated at The George Moore Community Centre, Moore Road, Bourton on the Water, Glos GL54 2AZ, or any other address from time to time
“Council Officer”:	means the Council appointed Clerk from time to time
“Cemeteries Order”:	means the Local Authorities Cemeteries Order 1977
“ERB”:	means an Exclusive Right of Burial
“Lawn Grave”:	means a grave laid out on the lawn principle in the section of the Cemeteries designated for that purpose
“Private Grave”:	means a burial or interment grave in respect of which the exclusive right of burial has been purchased
“Public Grave”:	means a burial or interment grave in respect of which no exclusive right of burial has been purchased

Cemetery Regulations:

1. The Regulations apply to all persons using, working or visiting the Cemeteries. The Council reserves the right to exclude or remove any persons failing to abide by the Regulations.
2. Notwithstanding the provision of these Regulations the Council reserves the right to close the Cemeteries or limit access at any time.
3. No burials, services or work of any kind or description shall be undertaken or carried out within the Cemeteries without obtaining the prior consent of the Council.
4. The only new burial plots available for purchase within the Cemetery are Lawn Graves.
5. All plots will be allocated in sequence, unless with the prior permission of the Council Officer.
6. Records: The Council will maintain a Burial Register, a Plan of the Cemeteries and associated burial records. All plans and burial records are retained at the Council Office and those records not subject to Data Protection restrictions are available for inspection free of charge during the hours when the Office is open to the public.
7. Fees and charges: The Council will maintain up to date fee schedules which are available at the Council Office and are posted on the Council web-site. Fees are payable to the Council at the time of application for a Burial or memorial works. If payment is not received as required the Council reserves the right not to approve the application.
8. Children: No children under the age of 12 years of age will be permitted in the Cemeteries unless accompanied by an adult.
9. Animals: No dogs (excluding guide or hearing dogs) may be taken into or allowed near the Cemeteries unless held on a lead. Dog owners are required to remove all dog mess from the Cemeteries immediately. No other animals are permitted in the Cemeteries.
10. Visitors: All visitors must conduct themselves in a quiet and orderly manner at all times and in accordance with the requirements of the Cemeteries Order. No visitors shall climb upon or over any memorial, boundary or gate. The Council has the right to exclude or remove any member of the public at their discretion.
11. Vehicles: No vehicles shall be driven within the Cemeteries at a speed exceeding 10mph (and vehicles are only permitted on the main drives or in the car park). All vehicles entering the Cemeteries must park in the car park. The car park contains a bay designated for the hearse and the hearse shall park in this bay. For burials, the hearse may park in the bay until all following cars have entered the car park at which point it may re-enter the Cemeteries to discharge the coffin. No cycles may be ridden in the Cemeteries.
12. No musical instrument or other sound producing device will be allowed during burials or at any other times.
13. Rights of Passage: The Council reserves the right of passage over all graves as circumstances require.
14. The Council does not hold itself responsible for any failure due to circumstances beyond its control.
15. The Council reserves to itself the right from time to time to revise these Regulations.
16. Any complaints must be made in writing to the Parish Clerk at the Council Office.

Purchase and Maintenance Responsibilities attached to an Exclusive Right of Burial:

- a. Deeds of Exclusive Right of Burial (“ERB”) must be purchased in respect of all graves purchased after 2010. The ownership of the ERB is subject to all Burials being authorised by the Council’s Officer and payment of the appropriate fees. On purchase of an ERB, the Council shall issue a Deed of Grant of Right of Burial to the person to whom, or on whose behalf, the ERB has been purchased and such named person(s) shall be registered in the Purchased Grave Register as being the Owner(s) of the Deed
- b. The purchase of the ERB is the right of one’s self and/or designated members of one’s family to be buried in a private grave on which a memorial headstone/vase can be placed at a later date. The maximum number of owners of an ERB is two.
- c. At the time of purchase of an ERB for a burial grave the purchaser must decide and state whether the grave is to be a single or a double grave and the persons to be buried in the grave will be recorded on the ERB. Once the maximum number of burials has taken the place the subsequent interment of a maximum of 4 ashes caskets in the same grave may be authorised.
- d. At the time of purchase of an ERB for an ashes grave the purchaser must decide and state whether the plot is to be a single or a double grave, and the persons to be interred in the plot will be recorded on the ERB.
- e. The ERB will be issued for a period of 75 years and may be purchased by a resident of the Parish of Bourton on the Water subject to the payment of fees currently prescribed by the Council. An ERB will only be granted to non-residents at the discretion of the Council.
- f. The owner of an ERB must confirm any subsequent change of address to the Council to facilitate contact during the period of the ownership (ie 75 years).
- g. The ERB does not give the purchaser any rights over land ownership of such a grave. The land remains in the ownership of the Council. However, the owner of the ERB is responsible for the maintenance of the grave and any memorial subsequently erected during the period that the right exists.
- h. In respect of a burial grave, the parish council will be responsible for the removal of all mounds by a date 12 months following a burial, and the ground will then be restored to a level surface to facilitate future maintenance of a Lawn Grave.
- i. The purchaser of an ERB must be aware that a purchased grave may be covered temporarily during the excavation of adjacent graves. However, this will be done in line with conditions set out elsewhere in these Regulations to protect the existing grave, and all graves will be restored to their former condition immediately following a burial.
- j. Floral tributes will be allowed to remain on a grave until they have withered, or up to a period of 28 days following a burial. If the tributes have not been removed by the family after this period the Council reserves the right to remove these to facilitate the maintenance of the cemeteries.
- k. Maintenance of the grassed areas of all graves will be the responsibility of the Council, and these areas must remain free of flowers on all Lawn Graves to enable this maintenance to take place. After the initial period of mourning (28 days) flowers will only be permitted if placed at the head of the grave or in a vase built into a memorial located at the head of the grave. All other areas of the grave must be kept free from tributes of all kinds.
- l. All floral tributes are left at the owner’s risk. The Council reserves the right to remove any neglected, unsightly, broken, dangerous or unsafe articles or materials from any grave without notice, which includes solar lights, lights, candles, candle holders, glass bottles and any other item that is deemed detrimental to the maintenance or good appearance of the Cemeteries.

Memorial Regulations:

1. No memorials shall be placed or erected except on plots for which an Exclusive Right of Burial has previously been purchased.
2. All persons engaged to install memorials must be competent to undertake such works, and all work shall be carried out to the reasonable satisfaction of the Council.
3. The Council has established a set of standard dimensions which shall apply to all memorials in the Cemeteries and these will be provided in advance to all applicants and monumental masons. It remains the responsibility of the applicant and monumental mason to familiarise themselves with these dimensions prior to submitting an application, and the dimensions must not be exceeded.
4. The plots will be set out in a grid layout established by the Council with traditional spacing of 9' x 4' and with the headstone placed **on** the grave not behind it.
5. No memorial shall be altered or interfered with after it has been erected in the Gardens according to the design submitted to and approved by the Council.
6. The Council has a duty of care to ensure memorials are maintained at a high standard and all memorials are subject to regular inspections.
7. Ownership of and responsibility for the permanent maintenance of the memorial remains with the owner of the memorial, and their successors in title. All memorials shall be kept in good repair for the entire period of ownership of the memorial, and in default thereof the Council reserves the right to remove such memorials or to require the owners to remove them.
8. Memorials that do not conform to the Regulations as approved by the Council may be removed without notice. Prior to their removal a letter may be sent to the last known address of the owner of the Exclusive Right of Burial requesting them to remove the non conforming memorial within 14 days, following which date it will be removed by the Council without further notice.
9. All memorials remain at the sole risk of the owners of the plots and the Council shall not be responsible for any damage or breakage which may occur to the same.
10. The Council reserves the right to remove all memorials after the expiry of the relevant period of ownership. Council also reserves the right, in every case, to remove any memorial which is considered unsafe or is in a state of disrepair.
11. Cemetery:
 - a. All new memorials should be appropriate for a Lawn Grave and conform to the standard dimensions established and published by the Council.
 - b. Flowers will only be permitted if placed in a vase at the head of the grave or in a vase built into the memorial, and no trees, shrubs or other items shall be permitted on or near the memorials or on any other part of the Lawn Grave. Any such items will be removed by the Council. This condition has been established for ease of future maintenance of the Cemetery.
12. Gardens of Remembrance:
 - a. All memorials in the Gardens of Remembrance must be marked by a desk top or wedge shaped memorial tablet.
 - b. Flowers will be permitted if placed in a vase.
13. Ashes Garden:
 - a. No ashes may be scattered in the Ashes Garden without the prior written consent of the Council.
 - b. Applications to scatter ashes in the Ashes Garden are subject to a written application on the form provided, and approval of the same by the Council.

- c. Ashes may only be scattered within the Ashes Garden provided for this purpose, and may not be scattered on any ground outside this garden.
- d. There will be no charge to scatter ashes on the garden. However, a fee will be payable at the rate established at that time if the applicant wishes to purchase a memorial plaque for affixing on the surrounding kerb.
- e. All memorial plaques will be of a standard size and design, and will be provided by the Council. Each plaque will contain the name of the deceased, together with the date of death, and there will also be space for 2 lines of text for a personal tribute (maximum 60 characters).
- f. All plaques purchased will be displayed for a period of 75 years, and the purchase price will include the cost of fixing the plaque, which will be undertaken by the Parish Council.

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