



# Bishopstoke Parish Council

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## **REGULATIONS IN RESPECT OF INTERMENTS AND ERECTION OF MEMORIALS IN THE BISHOPSTOKE CEMETERY**

These regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate laws or statutes currently in force. The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

Interpretation of terms:

‘The Cemetery’ means the Cemetery maintained by the Parish Council known as ‘Bishopstoke Cemetery’.

‘The Parish Clerk’ means the person for the time being holding the office by that designation under the Parish Council, hereinafter known as the Clerk with respect to the Cemetery, and the Assistant Clerk who will act for the Clerk in matters relating to the Cemetery.

‘Grave’ means a burial place formed in the ground by excavation and without any internal walls of brickwork or stonework or any other artificial lining. Burials are not permitted in any form of brick or concrete vault or cell. All graves shall be allocated a number according to the Cemetery plan.

‘Cremation Plot’ means a place formed in the ground by excavation for the purpose of interring ashes and their containers. Such a place shall measure not more than 2 feet by 2 feet (0.61m by 0.61m). All plots shall be allocated a number according to the Cemetery plan.

‘Purchased Grave or Cremation Plot’ means a grave or cremation plot wherein the Exclusive Right of Burial (subject to these regulations) has been granted by the Parish Council.

1. **Times of Notice of Interment.** Notice of interment shall be given to the Clerk at least 2 clear working days in advance of the day of interment, excluding weekends and public holidays. This regulation shall not apply upon production of a medical certificate stating that an early interment is necessary or when exceptional religious reasons exist.
2. **Insurance requirements.** Funeral directors and gravediggers must provide evidence to Bishopstoke Parish Council of public liability insurance before carrying out any work in Bishopstoke Cemetery.
3. **Proof of ownership required before re-opening.** No grave or plot for which the Exclusive Right of Burial has been purchased may be re-opened without the written consent of the owner, or their personal representative. If the burial grant has not been purchased relatives must request permission from the Parish Council to re-open a grave.
4. **Fees and Charges for Interment.** The fees and charges payable to the Parish Council in respect of interments in the Cemetery, or for purchase of burial grants, or for memorials, or otherwise in connection with the Cemetery, shall be those detailed in the Table of Fees and Charges, which shall be subject to review with fee changes taking effect from 1st April each year, or at any other time at the discretion of the Parish Council. The Table of Fees applies to all residents of the Parish or to those recently resident who qualify under those circumstances as listed in the Table. Double fees and charges are payable by all other persons. These fees contribute towards the upkeep of the Cemetery and for regular inspections of the memorials. Those being interred who come from outside of the Parish pay higher fees as they are not contributing to the Parish Council precept which pays for the upkeep of the Cemetery. All fees and charges shall be paid in advance to the Clerk.

5. Graves and Plots sold subject to Regulations. All graves and cremation plots shall be sold subject to the regulations currently relating to the Cemetery.
6. Selection of Graves and Plots. Pre-purchase of graves or plots is not permitted. Graves and plots will be allocated in sequence unless exceptional circumstances apply when the decision of the Clerk on behalf of the Parish Council shall be final.
7. Certificate of Disposal. A legal 'Certificate for Burial or Cremation', or in the case of an inquest the Coroner's Order, shall be delivered to the Clerk before a burial takes place. A certificate of cremation shall be delivered to the Clerk in the case of cremated human remains. The appropriate document must be delivered with the notice of interment.
8. Grantee of Right of Burial. If a personal representative from outside the Parish applies to bury a resident of the Parish the fee payable shall be the same as an application from a local representative.
9. Digging of Graves and Cremation Plots. All graves and plots shall be dug and reinstated under arrangements made by the undertakers. Shoring is required at all times due to the nature of the soil structure. Surplus spoil is to be placed as advised by the Council, and no spoil is to be deposited on an adjacent grave or plot at any time if there is available non grave space nearby. The memorials and grave goods on adjacent graves must be protected at all times during the interment. At the conclusion of the interment originally turfed graves are to be re-turfed, and any paving slab originally present on a cremation plot must be replaced in its original position.
10. Interment in Graves. In all graves there shall be at least 3 feet (0.92m) of earth between the surface of the ground and the top of the coffin and no coffin shall be buried in a grave in which an interment has already taken place unless the coffin containing the body is effectively separated from any coffin already placed and remaining in the grave by a layer of earth not less than 6 inches (15.3cm) in thickness and no human remains interred therein shall be disturbed nor shall any soil which is offensive be removed. The minimum depths for plots are to be 5 feet (1.53m) for single depth and 6ft 6ins (1.98m) for double depth. Coffins shall be made of suitable biodegradable materials and no metal or other non-biodegradable coffins, caskets or containers will be allowed.
11. Interment of Ashes in cremation plots. In all cremation plots there shall be at least one foot (0.31m) of earth between the surface of the ground and the ashes or top of the container and each plot shall be of a depth suitable for the interment of two sets of ashes.
12. Interment of Ashes into Adult Graves. A maximum number of 6 cremation burials shall be permitted into an adult grave. These shall be as 3 sections of 2 cremation burials side-by-side.
13. Interment of more than one body in the same grave at the same time. Only the body of one adult, or the bodies of 2 children each under the age of 12 years, may be buried in any grave at the same time, unless the bodies be those of the same family.
14. Death from Infectious Diseases. In all cases of death from infectious diseases the body shall be taken directly from the hearse to the grave.
15. Coffins of Still Born Children. No body shall be received unless decently covered and placed in a coffin of suitable biodegradable material with the name of the deceased child or that of its parents indelibly affixed.
16. Arrival at the Cemetery. The time of any proposed interment shall first be arranged by the Funeral Director and the Clerk to the Parish Council. The time agreed shall be the expected arrival time at the Cemetery. All interments shall take place on Mondays to Fridays between the hours of 0900 and 1530 and on Saturdays between the hours of 0900 and 1200 but not on public holidays unless exceptional circumstances apply. (The exception as in clause 1 to apply)
17. Carrying of Coffin at the Cemetery. If persons other than the staff of the Funeral Director wish to carry the coffin then they must all sign the necessary disclaimer **prior** to the carrying of the coffin. It is the responsibility of the Funeral Director to ensure that such disclaimers are completed prior to the carrying of the coffin. The disclaimer form is available on the Council website and all forms must be returned to the Council by the Funeral Director after the burial has taken place.
18. Backfilling by mourners. Backfilling is expected to be carried out by the staff of the Funeral Director. If the funeral director allows mourners to backfill the grave, all necessary health and safety precautions should be taken, and only one mourner allowed to backfill at any time.

19. **Private Work.** No private work shall be undertaken by visitors to the Cemetery other than general grave or plot tidying. No employee of the Parish Council is to be engaged to execute any private work in the Cemetery.
20. **Exclusion or Removal of Persons from the Cemetery.** The Parish Council may, at any time, remove or exclude any person from the Cemetery who shall be guilty of any breach of the regulations being in force at that time.
21. **Admission of Dogs.** The admission of dogs, unless on a lead, is prohibited. Dogs shall not be allowed to foul within the Cemetery.
22. **Release of Balloons, Lanterns or Doves.** The release of balloons, lanterns, or doves, is not permitted in the Cemetery.
23. **Exclusive Right of Burial.** The Exclusive Right of Burial in any grave or cremation plot shall be entered in the Register of Grants of Right kept by the Clerk. After the interment of the owner of the grave or plot, the personal representative shall produce to the Clerk the Grant of Probate or Letters of Administration, and/or other documentation as required by the Clerk, so that proof of change in ownership may be duly registered. Until satisfactory proof of ownership is given, the grave or plot cannot be re-opened and no memorial or tablet or other article may be installed or work carried out on an existing memorial, including additional inscriptions. The Exclusive Right of Burial shall last for a period of 30 or 60 years, at the expiry of which time it shall either be renewed at the appropriate fee or ownership shall revert to the Parish Council. The Exclusive Right of Burial will not be issued to persons under the age of 18.
24. **State of General Repair (not including memorials).** Every grave plot shall be kept in good repair by the owner. On default by the said owner (if the owner fails to keep the plot in good order) after 14 days' notice in writing has been sent by registered post to the registered owner at his registered address, the Council reserves the right to take over the maintenance of the grave plot and have it put in good and safe order at the expense of the grave owner with such costs attached to the grave or plot. The Parish Council will seek to recover costs expended on behalf of the owner at the time of the next interment or future work to a memorial on the plot.

To assist in maintaining the Cemetery in a neat and tidy condition, the Parish Council will cause all neglected mounds to be levelled or sunken graves to be made up to ground level.

In order to ensure that the grave plot can be properly maintained no vases, flower holders or other personal items are permitted elsewhere than at the normal headstone position. If such items are found on the grave plot they may be removed back to the headstone position without notice.

25. **Grave Enclosures.** The purchaser of any grave or cremation plot shall, when erecting a memorial, place such memorial in the position determined by the Parish Council. No form of grave enclosure is allowed and this includes railings, chains, wooden edging of any description and glass wreath cases. The purchaser will be given one month's notice to remove such items after which the Council reserves the right to remove any such unauthorised items at the expense of the grave owner and hold them for collection, where practical, by the owner within 14 days of notification or dispose of them if the owner does not collect them within the stated time. Enclosure contents or damaged items will not be kept for collection. The Parish Council will seek to recover such costs at the time of the next interment or future work to a memorial on the plot.
26. **Trees, Shrubs, Plants and Flowers.** Dwarf trees, shrubs, plants and flowers shall not be planted upon graves or cremation plots. The Parish Council reserves the right to remove, prune and cut down any trees, shrubs, plants or flowers, previously planted which in its opinion have become unsightly, overgrown or dangerous. Persons tending graves or plots shall be required to dispose of any rubbish removed from the grave or plot in the bins provided for that purpose. The planting of young trees in memory of a deceased is no longer allowed.
27. **Personal effects.** The Cemetery is an area for quiet reflection for many persons and unusual adornments such as balloon, plastic attractions or personal effects, placed upon the grave or plot of a deceased may cause upset or offence. Consequently, such items are to be discouraged and the Parish Council reserves the right to remove any items which in its opinion may cause offence in any way. Example items include wind chimes, any items above the height of the surrounding headstones, food and drink items.

Lighted candles, including those within a glazed container, and any breakable items, particularly glass items, are not allowed because of the possible fire risk and attendant safety dangers to grounds maintenance staff, others visiting the Cemetery, and to animals. Such items removed by the Parish Council will be placed near the waste bins for collection by the owner within 14 days of notification or be disposed of if the owner does not collect them within the stated time. The Council will not remove any solar or battery powered lanterns or lights, provided that they are well maintained and designed for outdoor use.

Items that are damaged/deteriorated or deemed an immediate health and safety risk will be removed from the Cemetery without prior notice.

28. Seats. Families may apply to the Clerk for the erection of a seat in memory of the deceased. The design and location shall be determined by the Clerk on behalf of the Parish Council and all costs relating to purchase and installation shall be met by the family. Once installed, ownership of the seat shall pass to the Parish Council.
29. State of Repair and Removal of Memorials. The Parish Council reserves the right to refix, realign or remove any memorial as may be required. Any such work shall only be carried out by an approved stonemason. Broken cement beds for chippings shall be removed and the enclosed turfed over.

Every memorial shall be kept in good repair by the owner. On default by the said owner (if the owner fails to keep the memorial in a good state of repair), and after two months' notice having been given in writing of the need for work to be carried out, the Council reserves the right to have the memorial put in good and safe order at the expense of the owner. Where the owner of the Exclusive Right of Burial cannot be traced at the time of carrying out the work, any costs expended in order to make safe the memorial shall be borne by the Parish Council and attached to the grave or plot. The Parish Council will seek to recover such costs at the time of the next interment or future work to a memorial on the plot.

30. Work to be executed to the satisfaction of the Parish Council. All work shall be executed to the satisfaction of the Parish Council and undertaken by suitably qualified persons.
31. Regulations for the Erection of Memorials. Memorials can only be erected upon issue of the necessary permit from the Parish Council and with the written consent of the owner of the Grant of Exclusive Right of Burial for the grave or plot concerned. Regulations for the erection of memorials are at Annex A and shall be complied with by all memorial masons executing work on memorials.
32. Register. Applications to search the Register of Burials shall be made to the Clerk. However, on-line investigations may be made via the Eastleigh Borough Council website for details more than two years old, if recorded.
33. Exhumations. Exhumations are only permitted by lawful permission from the appropriate authorities.
34. Clauses. In cases where any question or controversy arises from the foregoing clauses, or anything omitted therefrom, the decision of the Burial Authority shall be final and binding.

By Order of Bishopstoke Parish Council  
22 March 2018

## **Annex A**

### **REGULATIONS FOR THE ERECTION OF MEMORIALS AND FOR WORK TO BE CARRIED OUT ON AN EXISTING MEMORIAL IN BISHOPSTOKE CEMETERY**

1. Memorials may only be erected upon issue of the necessary permit from the Parish Council and with the written consent of the owner of the Grant of Exclusive Right of Burial for the grave or plot concerned. Any work carried out on an existing memorial will also require a Parish Council permit and the written consent of the owner of the Grant of Exclusive Right of Burial for the grave or plot concerned.

Where the Grant of Exclusive Right of Burial has not been purchased the Council will not give permission for a new memorial to be erected, or for an existing memorial to be amended and replaced (an example of an amendment is to add an additional inscription). Permission will only be given to replace an existing memorial if no changes have been made to the memorial before it is replaced. Alternatively, the Grant of Exclusive Right of Burial can be purchased from the Council when submitting the application to erect/amend a memorial on a grave for which the Grant has not previously been purchased.

2. All new memorials and memorial maintenance work shall only be undertaken by suitably qualified masons and to the satisfaction of the Parish Council. Memorial masons must provide evidence to the Council of public liability insurance of at least £5 million.
3. All memorials shall be erected and remain at the sole risk of the owner. Those seeking to place a memorial in our Cemetery should be aware that any items placed in our Cemetery may be affected by soil movement or

animal activity, as this is a rural cemetery with a largely sandy soil structure. A sketch of each proposed memorial giving full details and dimensions, together with the owner's consent, is to be submitted to the Parish Council on the application form supplied by the Clerk. **No memorial may be erected in the Cemetery without the written consent of the Clerk.** No memorial shall be removed or altered without the written consent of the owner and the Clerk except as otherwise provided (for example on health and safety reasons).

4. All memorials are to be of natural stone and no Bath, Caen, or other soft stone, or reconstituted stone, shall be allowed in the construction of any memorial. All monumental work shall be finished prior to the erection of any memorial, excepting the execution of a second inscription for which permission must be obtained. Exceptionally, hard wood crosses may be installed at a height not to exceed three feet (0.91m) and wooden crosses may be installed temporarily pending erection of a stone memorial on a grave. No memorial of any design shall exceed 3 feet 6 inches (1.07m) in height.
5. Memorial masons and others, prior to fixing memorials, shall furnish themselves with all appropriate tools and necessary appliances and comply with any regulations issued by the Parish Council.
6. Memorial masons and others employed on any kind of work in connection with memorials in the Cemetery are to remove all spare soil and leave the ground clean after completing their work and each grave is to be re-turfed to an acceptable standard. Memorial masons will be held responsible for any damage caused by them either on the ground or to the memorials erected thereon.
7. All memorials and any parts or part thereof which have to rest in or upon the ground, or upon any brick, stone or other foundations, shall be fairly squared and bedded off. The Parish Council reserves the right to reject applications for memorials with stones of uneven thickness or with corners knocked.
8. The top surface of every foundation stone shall be at least 2 inches (5.1cm) below the level of the highest point of the surrounding turf.
9. All work on memorials shall be completed during the hours of 8.00 am and 5.00pm on weekdays excepting Saturdays when work must cease at 12.00pm. No work shall be undertaken during an interment or on Public Holidays.
10. The erection of memorials will not be allowed during unsuitable weather or whilst the ground is in an unfit state.
11. No rails, wooden edging, chains of any description, or glass wreath cases shall be allowed as part of any memorial.
12. For cremation plots, the minimum thickness of a memorial up to 20inches (50.8cm) high shall be 2 inches (5.1cm).
13. Second bases shall be securely fastened to the bottom by dowels or other approved methods.
14. No advertising boards, tablets or cards, shall be placed on or around any monumental erection nor shall any form of advertising be displayed in any part of the Cemetery.
15. The memorial mason shall mark the reverse of the memorial in the lower right corner with the plot number in letters no higher than 2 inches (5.1cm). The memorial mason may also inscribe the name of the company on the reverse of the memorial in the lower left corner in letters no higher than 2 inches (5.1cm). Any inscription on kerbs/posts for a kerb set must be specified on the application form. Placement of the grave number and name of the stonemason is only acceptable on the back of the headstone and is not acceptable on the kerbs/posts of the kerb set.
16. Any memorial temporarily removed when a grave is opened for an interment shall be placed and fixed within twelve months from the date of re-opening of the grave.
17. Where the owner applies for an inscription which refers to a person who is not interred within the Cemetery, that inscription must contain the words 'resting elsewhere' or their equivalent.
18. **All memorials shall be fixed according to BS8415 and the relevant Codes of Practice or Guidance that are fully compliant with this standard. All memorial masons undertaking work in the Cemetery shall be suitably qualified.**