

KINGSCLERE PARISH COUNCIL



Amended Rules and Regulations Echchinswell Cemetery Version 7- September 2023

The following RULES AND REGULATIONS are made by the PARISH COUNCIL OF KINGSCLERE, HAMPSHIRE, in accordance with the General Power of Management granted to the Council in their capacity as a BURIAL AUTHORITY BY Article 3(1) of the LOCAL AUTHORITIES CEMETERIES ORDER 1977 promulgated as Statutory Instrument 1977 No.204.

These Regulations shall refer to THE ECCHINSWELL ROAD CEMETERY, KINGSCLERE.
'the Council' and 'KPC' refers to Kingsclere Parish Council:
'the Clerk' refers to the Kingsclere Parish Clerk, proper legal officer of the Council.

PREFACE: Rights of burial

Only persons in the following categories may be buried in the cemetery:

- a) **Residents of Kingsclere**
- b) **Persons able to demonstrate previous residence in Kingsclere for a period of at least 5 years (these burials could incur costs at the Non-residents Fee)**
- c) **Request for burial of non-residents can be considered by Full Council but each request is based on individual circumstances and would be subject to the higher non-residents fees if permission is granted.**

1. NOTICE OF INTERMENT AND DAYS PERFORMED

(a) PERMISSION REQUIRED

NO BURIAL shall take place or cremated remains be scattered, and no tombstone or other memorial shall be placed in the Cemetery, and no additional inscription shall be made without first obtaining the permission of the Council and the appropriate fee paid.

Permission will normally be obtained from the CLERK TO THE PARISH COUNCIL. The selection of the grave space is in all cases in the hands of the PARISH COUNCIL.

- (b) Any notice received on SATURDAYS, SUNDAYS or PUBLIC HOLIDAYS will be, for the purpose of Regulation 1(a) above, be deemed to be given on the next working day after receipt.
- (c) Interments at the normal rate shall take place between the hours of 9.00am and 4.00pm on Mondays to Fridays (inclusive) unless a Coroner or registered medical practitioner certifies that immediate interment is necessary or an exception is requested on religious grounds. Interments outside these hours can sometimes be agreed on occasion but incur a higher fee.
- (d) If it is necessary at any time to deviate from the provisions of the above regulations, written application MUST be made to the Parish Clerk, at Kingsclere Parish Council, 37 George Street, Kingsclere, Newbury, Berkshire RG20 5NH.

2. CERTIFICATE OF REGISTRATION OF DEATH

The Certificate of registration of the death of a person to be buried or the Coroner's Order for the burial of a body where an inquest has been held, MUST be produced before the interment takes place. In cases requiring immediate burial the Clerk is empowered to take such steps as may seem necessary.

3. SELECTION OF GRAVE SPACE

The selection of the grave space in respect of which no exclusive right of burial has been granted is in all cases in the hands of the Council or an Officer appointed by them. The Parish Council will however, grant the exclusive right of burial to a purchaser who selects a site in the section in use for burials on payment of the appropriate charge set out in the Table of Fees, but in the case of a half plot for children under three years at death as mentioned the said Table of Fees, the Clerk shall determine the site of the half plot.

Where Exclusive Right of Burial has been purchased in advance of Notice of Interment, this will be for a period of TWENTY-FIVE, FIFTY or SEVENTY-FIVE YEARS from the date of signing the Application Form.

Where Exclusive Right of Burial is purchased at the time of interment, this will be for a period of 75 years from the date of signing the Application Form.

3A. REMOVAL OF SPOIL

All spoil arising from grave digging and memorial installation must be removed at the time of completion of the work on the plot this is the responsibility of the Funeral Director in liaison with the grave digger and the memorial mason. At the time of interment there shall be a reasonable amount of spoil – maximum of 10cm - left on the grave to allow for settlement. Cont. see section 7b.

3B. PREVENTING THE OCCURRENCE OF SHALLOW GRAVES

No body shall be buried in such a manner that any part of the coffin is less than two feet below the level of any ground adjoining the grave.

4. SHARING OF GRAVES BY BODIES OF MEMBERS OF THE SAME FAMILY

- (a) One body only shall be buried in a grave at one time, unless the bodies be those members of the same family, save where in exceptional circumstances the Council otherwise agree.
- (b) No grave in respect of which exclusive right of burial has not been granted shall be unlawfully re-opened within fourteen years (14) after the burial of a person above twelve years of age, or, within eight (8) years after the burial of a child under twelve years of age, unless to bury another member of the same family.
- (c) Where the grave is used for the reception of more than one coffin, a layer of earth not less than 15cm (6ins) thick shall be left undisturbed above the previously buried coffin; but if on re-opening the grave the soil is found to be offensive, such soil shall not be disturbed and in no case shall human remains be removed from the grave.

5. APPROVAL OF, AND RESTRICTIONS APPLICABLE TO PROPOSED MEMORIALS

All memorials are to be installed in accordance with the British Standard, applicable at the time, with a ground anchor as specified and a Certificate of Conformity obtained from the stone masons a copy of which must be sent to the Parish Clerk within 21 days of the memorial being installed.

- (a) All memorials and inscriptions thereon are subject to the approval of the Council and a copy of every inscription proposed and a drawing showing the design and dimensions of every memorial proposed to be erected, must be submitted for approval to the Clerk with the application on the prescribed form. No memorial shall be placed within the burial ground, nor shall any erected memorial be removed or replaced, or any work carried out to any memorial without first obtaining the written consent of the Clerk. A fee will be charged for ANY alteration or addition to an existing memorial.

- (b) Only memorials which comply with the following regulations will be approved:-
- (i) No memorial shall exceed one metre (3ft 3ins) in height and 60cm (2 ft) in width.
 - (ii) The memorial shall be on a rectangular base measuring not more than one metre (3ft 3ins) wide by 38cm (1ft 3ins) metres deep, set **flush** with the ground so that a mower may pass freely over it. To facilitate this, no raised part of the physical memorial shall be closer than 7.5cm (3ins) to the edge of the base.
 - (iii) Cremation Tablet should be no more than 50cm x 50cm (19x19ins).
 - (iv) The memorial shall be of Teak, Oak, or Natural Stone quarried in Great Britain. Alternative imported stone may be used provided it is of similar appearance and quality. In this case approval will be at the discretion of the Clerk who may request a non-returnable sample of the proposed stone.
 - (v) The memorial shall be erected at the head of the grave in alignment with other memorials in the same row.
 - (vi) **In no circumstances will kerbs of ANY MATERIAL be permitted around a grave. As of September 2023, any memorial company or relative found to have installed a kerb will be contacted and requested to remove it. KPC reserves the right to remove additional kerbs and fencing at any time.**
 - (vii) In the area of the Cemetery set aside for burial of cremated remains the only memorial permitted will be a stone not exceeding 50cm x 50cm (19x19ins) set flush with the surrounding grass so that a mower may pass over it. **As of September 2023, no additional ground other than the size of memorial stone is permitted for use by family and friends. Grave owners only purchase the square that the memorial stone sits on. KPC reserves the right to remove additional materials/items placed outside the owned area.**
- (c) The position of the memorial shall be subject to the approval of the Clerk and the foundation thereof shall be executed to the Clerk's satisfaction.
- (d) Reference to memorials shall, when the word occurs in the singular or plural in these Regulations, be taken to include gravestones, tombstones, tablets, vases of any description, placed on land comprising part of the Cemetery.
- (e) If any damage is caused by the bringing in of any materials or memorials, the person or persons causing the damage will be required to make it good.
- (f) All memorials shall be finished before they are admitted to the Cemetery and no work of any kind thereon, beyond that of fixing, will be allowed within the cemetery except an inscription which cannot be made prior to the erection of such a memorial within the Cemetery.
- (g) **Glass vases, jars or any object of this nature will not be permitted in the Cemetery. Any real or silk flowers must be either be in vessels as part of the memorial or placed upon the base of the memorial in non-glass vases. No liability is accepted for breakages of any kind as the cemetery is open to the public and not monitored.**
- (h) **Plastic flowers, slate, stone, gravel (any aggregates) fake turf, toys, wind chimes, and similar objects are not permitted.**

As of September 2023, items such as those mentioned above may be removed by KPC without notice. (Regardless of what is already on other plots pre-September 2023)

- (i) Memorial Masons are required to ask for permission in advance to physically install memorials in order KPC staff can confirm a burial service is not taking place.

6. NUMBERING OF GRAVES OR MEMORIALS

The Parish Council's reference letter and number of the grave shall appear on the right-hand side at the head of the grave or on any memorial thereon in letters 2.5cm (1ins) high and not more than 15cm (6ins) above ground level. Where new memorials are not so marked, the Council will arrange for marking to be carried out and re-charged. With the owner's consent the mason's name may in like manner appear on the memorial, but no address or other particulars shall be given.

Where memorial stones are set flush into the ground, the reference letter and number shall be clearly inscribed in one of the upward facing corners.

7. MAINTENANCE AND ENCLOSURE OF GRAVES

- (a) **Fencing and/or kerbs around graves is prohibited. As of September 2023, steps will be taken to remove any new kerbs and fences. This will be pointed out at the time of booking the burial and memorial.**
- (b) At the time of interment there shall be a reasonable amount of spoil – maximum of 10cm - left on the grave to allow for settlement. If the grave is not levelled after six months the council reserves the right to carry out this work at the owner's expense.
- (c) In order to maintain the overall appearance of the Cemetery and to facilitate its maintenance there shall be:-
 - (i) No planting of any sort except spring flowering bulbs.
 - (ii) No placement on graves or surrounding area of any objects, (see regulation 5h above).
- (d) Persons attending graves should remove all grass clippings, wrappings, dead flowers etc. and place in the bins provided. Cleaning materials should be removed from the cemetery.
- (e) **Vehicles are not permitted to drive into the cemetery. With exception of Funeral Hearse, Memorial Masons, Grave Diggers and KPC Maintenance Vehicles.** Parking for all visitors is in the adjacent gravelled parking area.

8. MAINTENANCE OF MEMORIALS

- (a) All memorials are to be kept in good repair by the owner. The Council may, without notice, make safe at the owner's risk and expense, any memorial which is a source of danger.
- (b) The Parish Council reserve the right to reverse, re-fix, move, lay down, line-up or place in such a position as may be required, any memorial in the Cemetery.

9. MEMORIAL SAFETY INSPECTIONS – RISK ASSESSMENT

In March 2007 the Minister of State defined Burial Authorities duty of care under Health & Safety legislation regarding memorials in our Cemeteries and Churchyards. To discharge our responsibilities in this area, we have a installed a Risk Assessment policy which can be viewed

on request at Kingsclere Parish Council Office. Notices can also be found on the notice board at the Ecchinswell Road Cemetery. Risk Assessments will be carried out on an annual rotational basis by contractors trained by the Institute of Cremation and Cemetery Managers and appropriate action will be taken to ensure the safety of all our workers and visitors.

10. RIGHTS RESERVED BY THE PARISH COUNCIL

The Council reserves to itself:-

- (a) The right to pass over and temporarily cover any grave for the purpose of performing any work in connection with interment or the maintenance of graves.
- (b) To remove dead or plastic flowers, gravels, fencing, kerbs and ornaments etc.
- (c) To level a grave at any time up to 12 months from the date of interment.
- (d) Fees will be reviewed annually and in the case of Purchase of Exclusive Rights the interment price will not be held at time of Reservation and upon death the interment fee will be as is in the current in the year the death occurs.

11. REGISTER OF BURIALS

A REGISTER of burials will be kept, and searches may be made, and extracts obtained without charge on application to the Clerk – contact the Clerk to arrange an appointment.

Where a certified extract from the Burial register is required, a Fee of £19.00 will be charged. Where a search is undertaken by the Clerk where the identity of a grave is not known, a Fee of £19.00 for the first hour (inclusive of a copy of an entry) and for each subsequent hour or part thereof £16.00, will be payable.

12. CEMETERY OPEN TO THE PUBLIC

The Parish Council reserves the right to close the Cemetery to the public at any time before and while a burial is taking place.

Children will not be admitted except under the care of a responsible person.

Dogs are not permitted in the Cemetery (with the exception of Assistance Dogs on leads).

All visitors must keep to the pathways where possible, refrain from touching shrubs and flowers, and observe perfect decorum in all respects. No games, sledging or playing is permitted.

Parking for all visitors in in the gravelled parking area at the entrance no visitor cars are permitted onto the Consecrated green areas.

13. COMPLAINTS PROCEDURE

All complaints must be made in writing to either the Clerk to the Councillors or the Chairman of Kingsclere Parish Council; 37 George Street, Kingsclere, Newbury, Berkshire RG20 5NH.



Clerk to the Council

KINGSCLERE PARISH COUNCIL



ECCHINSWELL ROAD CEMETERY, KINGSCLERE

RULES AND REGULATIONS Agreement – Version 7 - September 2023

It is the intention of Kingsclere Parish Council that the Ecchinswell Road Cemetery be maintained as a grassed area with graves only marked by simple memorials. Therefore in order to both facilitate maintenance and ensure a consistent and pleasing appearance it is very important that graves are maintained in accordance with the Cemetery Regulations. **Attention is particularly drawn to sections 5, 7 & 8. Kingsclere Parish Council reserve the right to remove at any time items which do not comply with these Rules and Regulations.**

Statement of Agreement

Iunderstand I cannot take a Vehicle onto the consecrated ground to maintain the grave, I cannot place kerbs / fences or any aggregates on or around the grave. Real / silk flowers in non-glass pots / vases are only to be placed on the base of the headstone and that Fake Turf, Toys, Ornaments and Plastic Flowers are not permitted and any of these items above can be removed at any time without notice. I am aware I only have permission to maintain and use the area of the original burial site and that I cannot take more grass/ground around the perimeter for decoration purposes.

I agree to keep Kingsclere Parish Council informed of new details following a change of contact details, in order contact can be made should Memorial Maintenance be required.

I confirm that I have read, understand, and hereby agree to abide by all the terms and conditions set out in the Rules and Regulations of Ecchinswell Road Cemetery Version 7 dated 12th September 2023.

Signed:.....

Date:.....

Print Full Name:

Address:

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Name of Deceased:

Relationship to the Deceased:

Plot Number: