

BRANDON TOWN COUNCIL

BRANDON CEMETERY

CEMETERY REGULATIONS

REGULATIONS PRESCRIBING STANDARD CONDITIONS APPLICABLE TO BRANDON CEMETERY

1. These Regulations are made by Brandon Town Council (hereinafter referred to as 'the Council') pursuant to Section 214 of and Schedule 26 to the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977 (as amended).
2. These Regulations or any part thereof (including all or any of the Standard Conditions or any part thereof set out in the Schedule hereto) may be altered, amended, added to, excluded, modified, varied, revoked or waived at any time and from time to time by the Council.

SCHEDULE

STANDARD CONDITIONS

INTERPRETATION

1. For the purpose of these Standard Conditions, the following expression shall have the meanings hereby assigned to them:
 - a. The expression 'the Council' shall mean Brandon Town Council, Old School House, Market Hill, Brandon, Suffolk, IP27 0AA; and shall be deemed to include the duly authorised Officers of that Council.
 - b. 'the Cemetery' means Brandon Cemetery at Church Road, Brandon.
2. The side headings in these Standard Conditions are provided for ease of reference only and are not to be construed as qualifying, limiting, aiding or otherwise affecting the interpretation of the said Conditions or any of them.

ADMISSION TO THE CEMETERY

3. The cemetery is open to the public daily.
4. Visitors are requested to keep to the footpaths, except when visiting special graves.
5. No vehicles except those authorised by the Town Clerk shall have access to the cemetery.
6. No person may take a photograph within the precincts of the cemetery during a funeral, except with the express desire and consent of a relative or the properly appointed personal representative of the deceased, and in any event, with the prior approval of the Town Clerk.
7. Visitors bringing bicycles into the cemetery are obliged to use the provided cycle racks.
8. No animals (except assistance dogs) are allowed into the cemetery.
9. Visitors must not stand, sit or lean on any of the monuments within the cemetery, or interfere with or damage or destroy any monument or proper flower vase or any trees, shrubs, plants or flowers.
10. The use of personal garden machinery is not permitted within the Cemetery.

REGISTER/CEMETERY PLANS

11. A Register of Burials is kept by the Council. Any person may make searches of such Register by prior arrangement at Brandon Town Council, Old School House, Market Hill, Brandon, Suffolk, IP27 0AA. A fee will be charged for each search undertaken.

Cemetery plans are kept by the Town Clerk and can be viewed by a person by prior arrangement.

PURCHASE OF GRAVE SPACES

12. Initially, all requests for the purchase of grave spaces within the cemetery are to be directed to the Town Clerk. Grave spaces will be allocated within strict numerical order and once the applicant has been given the details of the grave space by the Town Clerk, they should apply in writing to Brandon Town Council, Old School House, Market Hill, Brandon, Suffolk, IP27 0AA. Once granted, the Deed of Grant in respect of an exclusive right of burial may not be transferred without the Council's written consent.

NEGLECTED GRAVES/MONUMENTS

13. The Council reserves the right to prune, cut down or dig up and remove any trees, shrubs, plants or flowers, whenever, in its opinion (which shall be final) the same have become unsightly or overgrown.
14. If, in the opinion of the Council (which shall be final) any monument is no longer maintained in good repair and proper condition, the Council may give the grave owner, if he can be found, notice to effect the necessary repairs. In the event of non-compliance with the notice or if the grave owner cannot be found, the Council in its sole discretion may remove and dispose of the monument without having any liability in respect of its actions. The Council shall also have the right to affect the necessary repairs under this Paragraph and to recharge the grave owner in respect of the Council's reasonable costs in effecting the said repairs.

PLANTING OF SHRUBS AND PLANTS

15. SECTIONS I & II

The planting of shrubs, plants, flowers and the like in Brandon Cemetery is only permitted after obtaining the Council's written approval, which will specify the height to which any plant, shrub, flower or the like will be permitted to grow. The Council shall have the right to remove, trim, top or lop any plant, shrub, flower or the like contravening this Paragraph without prior notice. The Council's decision on this matter shall be final and conclusive.

SECTIONS III & IV

The planting of shrubs, plants, flowers and the like is not permitted at any time in Sections III & IV of Brandon Cemetery.

REMOVAL OF UNAUTHORISED MONUMENTS

16. If any monument or the like be erected or other work done in contravention of these Regulations, the monument or the like, or the work may be removed and disposed of at any time by the Council in its sole discretion, without notice, and without the Council having any liability in respect of its actions. The Council shall also have the right to recharge the person contravening this Paragraph in respect of the Council's reasonable costs in carrying out removal/disposal works under this Paragraph.

MAINTENANCE OF GRAVE SPACES/SUBSEQUENT BURIALS

17. Whenever any interment has taken place the grave shall be forthwith filled with soil and, after a lapse of such period the surface of such grave shall be suitably reinstated and covered with turf or re-seeded.
18. All graves in Sections III & IV, when reinstated, shall be kept flat and level with the adjoining ground and no mound or raised garden shall be permitted.
19. In the case of any subsequent burial, in the same grave space, any monument must be removed from the grave and stored outside the cemetery until after the subsequent burial. Thereafter it shall be re-erected in accordance with these Regulations.

INTERMENTS

20. No burial shall take place and no ashes shall be scattered in the cemetery, without the permission of the Council. Notice of interment shall be given in the prescribed form (which shall be properly completed) to the Council between the hours of 9.30 a.m. and 1.00 p.m. at least two clear days preceding the proposed date of interment.
21. A Certificate of the Registrar of Births and Deaths, or a Coroner's Order for Burial, must be delivered to the Town Clerk, prior to the interment. For the burial of a stillborn child, the Certificate of the Registrar of Births and Deaths that he has registered the stillbirth, or that he has received official notice of the stillbirth, or a Coroner's Order for the burial, must be delivered to the Town Clerk prior to the interment.
22. No interment shall take place on Christmas Day, Good Friday or any other public holiday.
23. No Notice of Interment shall be accepted by telephone, except in the special circumstances referred to in Paragraph 21 above.
24. In the case of a grave in respect of which an exclusive right of burial has been granted, the Notice of Interment shall be signed by the grantee of the right or the legal representative and the original Deed of Grant shall be produced with the Notice of Interment. If the grantee has died, the grantee's successor in title may sign the Notice of Interment, provided that he/she can produce satisfactory evidence of his/her title to the right of burial. If the original Deed of Grant has been lost or mislaid, the Notice of Interment must be submitted along with an Indemnity Form in a format as approved by the Council, to the effect that the Council, in granting such an application, is indemnified against all liability, actions, claims, demands, damages, costs and expenses which may arise in connection therewith.

25. All charges and fees, to which the Council is entitled, shall be paid when the Notice of Interment is given. Any written direction to the Town Clerk issued by the Council, with respect to any Notice of Interment, shall be delivered forthwith to the Town Clerk by or on behalf of the person completing the said Notice of Interment.
26. Relatives of the deceased or the undertaker must make any necessary arrangements with the officiating Minister of Religion. The Council accepts no responsibility whatsoever in connection therewith.
27. Interments shall take place only after prior arrangements have been made with the Town Clerk.
28. Funeral Directors shall come under the direction and control of the Town Clerk immediately on entering the cemetery. They must provide sufficient bearers for carrying and lowering coffins into graves.
29. The first interment in each grave, in respect of which no exclusive right of burial has been granted, shall be at a maximum depth of seven feet (214 cms). Without prejudice to the foregoing, no interment shall take place in any such grave so as to result in any part of the coffin, containing the body, being at a depth of less than three feet (91 cms) below the ordinary level of the ground immediately adjoining the grave.
30. Interments in each grave in respect of which an exclusive right of burial has been granted shall be at a depth or not less than five feet (152 cms) and not more than nine feet (274 cms). Without prejudice to the foregoing no interment shall take place in any such grave without a covering of earth three feet (91 cms) in thickness at least, measuring from the top surface of the coffin to the ordinary level of the ground. Providing that, where the coffin is constructed of a perishable material and the soil is of a sustainable friable character, the coffin may, with the consent of the Council, be placed at such a depth that no part thereof shall be at a depth less than two feet (61 cms) below the ordinary level of the ground.
31. A layer of earth at least six inches (15 cms) in thickness shall be left between each coffin in the same earthen grave.
32. Graves in respect of which an exclusive right of burial has been granted shall be covered within a specific period of time by a monument, or in such other way as the Council shall require.
33. Any inhabitant or non-inhabitant of Brandon, subject to payment of the appropriate fee for the time being prescribed by the Council, may purchase a grant of the exclusive right of burial in any grave space. No person may purchase the exclusive right of burial in more than two grave spaces without the prior written approval of the Council.

34. A grant of the exclusive right of burial in a grave may not be transferred to another grantee without the prior written approval of the Council. The Council will use its reasonable endeavours, but is not bound to affect an immediate transfer of the exclusive right of burial following the death of the grantee.
35. The allocation of the site for interment will be determined in strict numerical order by the Town Clerk, whose decision will be final and conclusive.
36. When any grave is reopened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove there from any soil, which is offensive.

CREMATED REMAINS

37. Urns or receptacles containing cremated remains may be interred in private graves with the consent of the Town Clerk. Cremated remains may be scattered beneath the surface of a grave, provided that the Town Clerk is satisfied as to the suitability of the grave for this purpose.
38. A certificate for Burial of the Ashes issued by the Registrar of a Crematorium must be produced to the Town Clerk before the interment or disposal of ashes takes place.
39. Cremated remains may not be disposed of on the surface of any part of the cemetery.

MONUMENTS AND INSCRIPTIONS

40. No monument (including any gravestone, memorial, enclosure or erection or the like) of any kind or inscription may be erected, constructed or otherwise effected without the prior application having been made to the Council and on production of the original of the relevant Deed of Grant (or such other documentary evidence as required by the Council) confirming purchase of the exclusive right of burial.

41. Any headstone erected in Brandon Cemetery shall not exceed the following dimensions:

SECTIONS I & II

- a. A flat stone, not exceeding 7ft by 3ft
- b. A headstone not exceeding 5ft in height
- c. A footstone not exceeding 2ft
- d. Kerbstones or border stones enclosing a space not exceeding 7ft by 3ft
- e. A tablet not exceeding 2ft 6in by 1ft 6in base area
- f. Any other monument not exceeding 5ft in height
- g. A child's headstone not exceeding 2ft in height
- h. Side-by-side graves:
 - Concrete plinth: 7ft 2in long overall by 1ft 2in wide
Plinth for headstone to be 1ft 6in wide
 - Headstone: not exceeding 3ft in height
 - Kerbstone: 7ft long overall at head only, which can incorporate 6in by 6in by 6in end posts

SECTION III & IV

- a. A headstone not exceeding overall 3ft in height, 2ft 6in wide, 4in thick
- b. Side-by-side graves:
 - Concrete plinth: 7ft 2in long overall by 1ft 2in wide
Plinth for headstone to be 1ft 6in wide
 - Headstone: not exceeding 3ft in height

CREMATION MEMORIALS

- a. Cremation tablet 1ft 6in by 1ft
 - b. Cremation memorial 1ft wide by 3in high, concrete foundation area 1ft 8in by 1ft 2in deep
42. No monuments other than headstones are permitted in Sections III & IV of Brandon Cemetery.
43. Applications to erect, construct or otherwise effect monuments or inscriptions (as the case may be) referred to in Paragraph 42 above must state the material(s) to be used and show drawings of every proposed erection and inscription, including all dimensions, method of fixing and elevations. They must be submitted in duplicate for the prior approval of the Council. The Council will ensure that the monument/inscription is in accordance with the particulars submitted to the Council and the Council's decision on this matter shall be final and conclusive.
44. Subject to the consent of the grantee (or his successor in title) the name of the firm of masons executing the work may be cut on the monument in question in letters not exceeding ½ inch (1cm) in height.

45. Where an exclusive right of burial in a grave has been purchased, the original Deed of Grant shall be produced by the grantee (or his successor in title). If the original Deed of Grant has been lost or mislaid, the grantee (or his successor in title) must complete and deposit an Indemnity Form in a format as approved by the Council, to the effect that the Council, in granting such application, is indemnified against all liability, actions, claims, damages, demands, costs and expenses which may arise in connection therewith.
46. No person shall place upon any grave any glass shade, glass jar, bottle or similar receptacle not being a proper flower vase, flag, windmill or other ornaments. The Council will remove such unauthorised article and destroy them without prior notice and without having any liability in respect of its actions. The Council's decision on this matter shall be final and conclusive. Proper flower vases may only be placed upon a grave after obtaining the Council's written approval. Nothing in this paragraph will prohibit the laying of wreaths (which contain artificial flowers) providing that the wreath is properly constructed and of suitable materials. Any items should be placed at the head end only of the grave and not to the sides or behind the monument as this hinders the maintenance of the cemetery.
47. In any case where a headstone or any other similar monument is placed over a grave, a sufficient foundation, as approved in writing by the Council and constructed of concrete or other approved material shall be provided. The Council's decision on this matter shall be final and conclusive.
48. All foundations, fixing and removal of monuments shall be executed under the control and approval of the Town Clerk whose decision in the case of a dispute shall be final. Works may only be carried out between Mondays and Fridays on dates and at times as stipulated by the Town Clerk. All dirt and rubbish shall be cleared away and the site shall be left in a clean and tidy condition. Any damage done to any walls, fences, ground, shrubs or trees during the course of the above activities, may be, in the Council's sole discretion, repaired, replaced or renewed by the Council and shall be recharged to the person causing the damage. The Council may, at its discretion, allow the repair, replacement or renewal to be undertaken by a third party, under the supervision of the Town Clerk and at the expense of the third party.
49. The Council may refix, move, line up or otherwise alter the position of any monument in the cemetery as it may think necessary or appropriate in its sole discretion and without having any liability in respect of its actions.
50. The Council shall not accept liability for the making good of any monuments which collapse. Nor will the Council accept any liability for any damage caused to any adjacent monuments as a result of the said collapse.
51. Arrangements must be made with the Town Clerk before any monuments are brought into the cemetery.
52. All monuments shall be erected at the head of the burial place.

53. Any monuments placed on any grave shall be of soundly constructed material and shall be kept in good repair and, in default thereof, the Council reserves the right in its sole discretion to remove any such monuments or to require the owner or owners thereof to remove such monuments. If the Council removes any such monument, it shall forthwith become the property of the Council who may dispose of it in such a manner as they think fit without having any liability in respect of its actions.
54. Any monument shall remain on any grave at the sole risk of the owner thereof and the Council shall not be responsible for any damage or breakage or theft of the said monument.
55. The placing, removal or refixing of any monument on the opening of any grave shall be under the supervision of the Town Clerk. Such placing, removal or refixing must be executed by the owner of the grave or by any person appointed on their behalf.
56. Any monument removed in the process of opening a grave shall be removed at the risk of the person requiring the grave or vault to be opened and shall be temporarily in such position as the Town Clerk may direct. The said monument shall be refixed within a reasonable time following the interment or completion of the purpose for which the grave was reopened. The decision of the Town Clerk as to what is a reasonable time shall be final and conclusive.
57. Any monument removed either for the purpose of allowing an interment to take place or for any other purpose whatsoever shall be re-erected in accordance with these Regulations. The Council shall have the right to recharge any person contravening this Paragraph in respect of any expenses the Council incurs as a result of the contravention.
58. The Council has a right of passage over all graves and may if necessary, temporarily cover or remove without notice the monument upon any grave in order to permit the reopening of another grave in the vicinity, or for any other purpose.
59. All monuments shall be of natural quarried material, or of a type of material approved in writing by the Council. Soft stone, wood, plastic, iron or any other metal, concrete or artificial stone will not be permitted. All dowels and cramps shall be of such a type, material and construction as shall be approved by the Town Clerk.
60. Provision may be made within the design of a headstone for the incorporation of a flower receptacle.

LIABILITY

61. The Council will not accept liability for damage to any grave space or monument or injury to any person within the cemetery except where such damage or injury is directly attributable to the negligence of the Council or its servants or agents.

FEES

62. Fees are payable to the Council in respect of the matters covered within these Regulations. These fees are set out in the Council's Table of Fees, which may be varied from time to time by the Council.

ENFORCEMENT

63. Any person breaching any of these Regulations will be excluded from the cemetery for such period as the Council may in its sole discretion determine. In the case of a mason, not only will the mason be excluded but also his employees. If the mason works for a Company or Firm, then employees, servants or agents of that Company or Firm are also liable to be excluded, at the sole discretion of the Council. The Council's decision in this matter will be final and conclusive.