

Sheringham Cemetery – Rules & Regulations

Date ratified March 2023 / These rules & regulations come into force on 1st April 2023.

Rules and regulations made by Sheringham Town Council (STC) for the management of the Weybourne Road Cemetery as the Burial Authority for the parish of Sheringham.

These rules and regulations should be read in their entirety. Section headings are not exclusive and all regulations apply equally to all cemetery users. As well as the following rules and regulations, the Local Authority Cemeteries Order 1977 applies. In particular, Clause 3(1) of this order states that: 'Subject to the provisions of this order, a burial authority may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery.'

Hours of opening

The cemetery is open to the public from dawn until dusk every day of the year.

Administration

The "Burial Authority" referred to in this document is Sheringham Town Council. These rules and regulations will be applied and enforced by designated officers working for the Burial Authority. The cemetery office, which is at the Sheringham Community Centre, Holway Road is open on Mondays to Fridays between 9.00am to 4.30pm. On Saturdays, Sundays and Bank Holidays the office is closed.

All correspondence should be addressed to: info@sheringhamtowncouncil.gov.uk or Burial Officer, Sheringham Community Centre, Holway Road, Sheringham, NR26 8NP / Telephone: 01263 822213

These regulations are made under the Local Authorities' Cemeteries Order 1977 as amended by Local Authorities' Cemeteries (Amendment) Order 1986 and the Burial Authority will review and amend these regulations as necessary.

Regulations have always existed in cemeteries and are a necessary requirement for the effective management of a burial facility and to ensure that the cemeteries are maintained for quiet contemplation.

Fees and costs

The fees and costs relating to the cemetery will be doubled (with the exception of grave digging fees) in the case of any person who has not resided in the Parish of Sheringham at any time during the period of twelve months prior to death.

Provided that a person who at the time of death was a patient in a hospital or in a Nursing or Residential Home or Hostel and who immediately preceding entering the said Hospital, Home or Hostel, was ordinarily a resident in the Parish, shall be deemed to be resident in the Parish.

1. General conduct from visitors

1.1 All visitors are expected to conduct themselves in an orderly manner and keep to the paths when not attending graves.

1.2 Children under the age of 12 should be accompanied by a responsible person.

1.3 Visitors should always deposit their dead flowers and other litter in the litter bins provided.

1.4 Dogs are permitted onto the cemetery grounds but must be kept leashed at all times and any mess cleared up and disposed of in the dog bin at the cemetery entrance.

1.5 Visitors or other persons shall not interfere with any workmen employed by the Burial Authority and shall not employ them to execute any private work whatsoever within the cemetery.

1.6 Only emergency vehicles and vehicles of duly appointed officials for the purpose of an interment are permitted in the cemetery. All other vehicles must park in the carpark on the right-hand side of the cemetery entrance.

2. Offences in the cemetery

No person shall:

- o Wilfully create a disturbance in the cemetery
- o Commit any nuisance in the cemetery
- o Wilfully interfere with any burial taking place in the cemetery
- o Wilfully interfere with any grave, tombstone or other memorial, or any flowers or plants
- o Play any games or sport in the cemetery

3. Penalties

Any person who contravenes section 2 will be liable on summary conviction to a fine not exceeding £100 and, in the case of a continuing offence, to a fine not exceeding £10 for each day during which the offence continues after conviction therefore, in accordance with articles 18 and 19 of the Local Authorities Cemeteries order 1977.

4. Conditions regulating confined burials and ashes interments

4.1 Burials and interments normally take place Monday to Friday between 9.15am – 4.00pm, except during January, February, November & December, when they shall take place between 9.00am – 2.00pm. No burials shall take place on Saturdays, Sundays, bank holidays, Christmas day or Good Friday.

4.2 The Burial Authority may need to make certain burial times unavailable because of operational issues.

4.3 The minimum of 72 hours' notice must be given of a proposed interment and the interment notice must include the applicable burial certificate, cremation certificate or burial order. Failure to provide these documents may result in delays or the cancellation of the funeral. This rule does not apply where religious belief requires burial within 24 hours.

4.4 The Exclusive Rights of Burial grant must be purchased prior to any burial or interment taking place. No grave shall be opened without the production of the Exclusive Rights of Burial grant and the consent in writing of the persons named on that grant.

4.5 The location of each new burial plot, including cremation plots in the memorial Garden, will be allocated by the Burial Authority. Where a new burial plot is required (If the burial/interment will not be in an existing, purchased plot) all reasonably practicable efforts will be made to accommodate the last wishes of the deceased and the preferences of bereaved families. The final decision on the allocation and use of any new burial plot rests with the Burial Authority.

4.6 Those families requiring interments to be in a designated faith section should make their wishes clear to their Funeral Director. Such requests will be accommodated subject to sufficient space being available.

4.7 All fees and costs must be paid before the grave space is prepared or the ground is opened. Failure to do so may result in delays or the cancellation of the funeral.

4.8 Persons who are authorised by the Burial Authority will excavate double grave depths at 6ft and single grave depths at 3ft. There will be no more than 2 burials and 4 interments of ashes in one grave, with the ashes commencing from the headstone.

4.9 Persons who are authorised by the Burial Authority will excavate ashes plot depths to accept ash caskets or cremated remains into a double or single grave. There can be no more than 2 interments into one grave space.

4.10 Persons who are authorised by the Burial Authority will ensure the back filling of any graves as necessary. However, in the event of relatives and friends wishing to do so, this will be permitted at the discretion of the Funeral Director and with a

minimum of 48 hours prior notice to the Burial Authority. The Funeral Director will be responsible for all arrangements, including risk assessments, relating to any additional activities at graveside.

4.11 No scattering of ashes is allowed.

4.12 Funeral Directors and/or Stone Masons must arrange, where necessary, for memorials to be removed from the grave to allow graves to be reopened. Reinstatement of headstone memorials following an interment is not permitted for a period of six months. After this time the instruction of the grave owner to the Funeral Director or Stone Mason may be carried out.

4.13 Floral tributes that are placed on the grave after a funeral should be removed when the tributes are seen to be decaying. If these are not removed by the owner, the burial authority may arrange for them to be disposed of.

4.14 In certain circumstances, it may be necessary for the soil that is excavated from a grave being prepared for an interment to be laid onto an adjacent grave. The Burial Authority will ensure that this is for the shortest time possible and any adjacent grave affected will be protected by boards on the grave and in front of any headstone. This will only occur if the soil cannot reasonably be placed elsewhere and after the funeral any affected grave will be fully reinstated.

4.15 Uncoffined burials are not permitted. No coffin/container will be accepted at a cemetery unless the name of the deceased therein is clearly shown. The identity shown on the coffin/container will be verified to the council's officer in attendance at the funeral by the Funeral Director at each burial service.

4.16 After the coffin/container/casket and body/ashes have been committed into the grave they shall not be removed or otherwise disturbed except for lawful exhumation by licence and or faculty or by the order of the coroner.

5. Conditions regulating all graves

5.1 No trees, shrubs or other vegetation of any kind should be planted on or around graves or anywhere in the cemetery. The Burial Authority may prune, cut down or remove any vegetation which, in the opinion of the Burial Authority, has become unsightly, overgrown or is interfering with graves.

5.2 The following items are not permitted to be placed or erected on any grave in the cemetery and will be removed by the Burial Authority at any time and without prior notice:

- Plastic plants, flowers, windmills, lights, toys or other plastic memorabilia
- Fencing, palisading or railing of any style or height
- Memorials not covered by or included in sections 7

5.3 To protect any memorial from unforeseen circumstances, the Burial Authority strongly recommends that owners insure any memorials placed in the cemetery or the memorial garden. Each memorial must be kept in good repair by the owner.

6. Conditions regulating the Exclusive Rights of Burial (EROB)

6.1 Exclusive Rights Of Burial grants must be purchased for a grave. This EROB is for a period of 60 years from the date of purchase. The purchaser is not buying the grave freehold and does not own any land. The purchaser can determine who may be interred in the grave. The original EROB certificate will be held at the Burial Authorities office.

6.2 The EROB may, at the discretion of the Burial Authority, be renewed for a further period of time on expiry.

6.3 Graves can only be opened with the written consent of the person to whom the EROB is issued, unless the interment is to be that of the owner, before which the EROB must be updated with the new EROB holder details. Until the EROB has been updated no interments will take place, excepting in the event that a Power of Attorney exists in relation to the owner, in which case interments in the grave will be at the discretion of the Burial Authority.

6.4 The EROB can be transferred to another person by assignment for which a fee is payable to the Burial Authority. Equally it can also be bequeathed in a will. The Burial Authority encourages grave owners to ensure that other family members are aware of the existence of the EROB.

6.5 Any change of address must be notified to the Burial Authority in order that up-to-date records are maintained and so that the Burial Authority is able to contact grave owners as and when required.

6.6 An interment fee is payable each time a grave is reopened.

6.7 In the event that the owner of an EROB wishes to return this right to the Burial Authority, details of the process will be provided on request. No refund will be made if any burials have been made in the plot. In the event that the plot is empty a refund will be payable according to the amount of unexpired whole years remaining on the EROB. Full details must be provided on application to the Burial Authority.

7 Conditions regulating Memorials & Masons

7.1 Memorials are not permitted on un-purchased graves or anywhere in the cemetery excepting with the written permission of the Burial Authority and in relation to an interment within the cemetery.

7.2 No memorial shall be placed upon any grave, unless the EROB has been purchased and an application for permission to place a memorial has been made by the registered owner and approved by the Burial Authority. Each memorial must be kept in good repair by the owner.

7.3 Memorial applications should be submitted to the Burial Authority using the appropriate official form and should be accompanied with the proposed inscription and memorial measurements. This information must be provided by the Stone Mason to the Burial Authority in advance of any works commencing on site.

7.4 The Burial Authority reserves the right to refuse an inscription upon any memorial if, in the opinion of the Burial Authority, it is deemed to be libellous, inaccurate or likely to cause offence to any person or body of persons. Any question regarding the fitness of the inscription shall be determined by the Bishop of the Diocese.

7.5 The placement, removal and refixing of any memorial shall be done by a Stone Mason or person appointed by the Burial Authority in accordance the National Association of Monumental Masons (NAMM) regulations and British Register of Accredited Memorial Masons (BRAMM) guidelines.

7.6 Headstone dimensions shall not exceed (Measurements must be taken from ground level) Height 915mm (3ft), Width 762mm (2ft 6ins).

7.7 All headstones must be designed and installed in full compliance with BS8415 to ensure that they all achieve the performance standard requirements. The Burial Authority may insist on corrective or remedial works if, in the opinion of the Burial Authority, a memorial has not been designed and/or installed in accordance with the BRAMM guidelines. Corrective or remedial works must be completed to the burial authority's satisfaction within 28 days of notification.

7.8 All new memorials will be inspected by the Burial Authority to ensure that they have been securely installed and do not present a health and safety risk. If, in the opinion of the Burial Authority, the memorial fails this inspection, then corrective or remedial works must be completed to the Burial Authority's satisfaction within 28 days of notification.

7.9 If a memorial fails an inspection or fails to meet the criteria detailed in these rules and regulations, the Burial Authority will take appropriate action to remove any health and safety risks. The Burial Authority reserves the right to charge an administrative fee to cover any costs incurred in this process, including remedial action(s), inspections (including any subsequent re-inspections) and all correspondence.

7.10 All rubbish and surplus materials of any kind arising from a placement, removal, repair, alteration or cleaning of a memorial must be removed from the cemetery by the Stone Mason or person who has carried out the work.

7.12 Any memorial that is erected without the written approval of the Burial Authority is unauthorised and will be removed and stored until such time as a proper application is made and approved.

7.11 The Burial Authority will carry out a continuous programme of safety inspections to establish whether memorials are at risk of falling and causing damage or injury. If any memorial is found to be unsafe, the Burial Authority has a duty to minimise the risk and will take the action which best suits the circumstances relating to the individual memorial.

7.12 The Burial Authority will follow relevant guidelines and best-practice and will publish full details of the inspection programme and procedure. The Burial Authority will use its website, local media and cemetery signage to communicate details of the programme and will make reasonable efforts to contact grave owners, subject to paragraph 6.5 of these rules and regulations.

7.13 Cremation plaques can be attached to the high wall in the Memorial Garden and should be of white marble with black lettering. Plaques must be securely fixed to the high wall, in line with all other plaques. The Burial Authority will designate the appropriate space to be used. Plaques must either be oblong or square in design and in only the following dimensions:

- Oblong - 305mm x 152mm (12in x 6in)
- Square – 305mm x 305mm (12in x 12in)

7.14 Ground tablets can be laid at the low wall of the Memorial Garden or in the place of a headstone on a grave in the cemetery. Tablets must be unpolished black or grey granite and should not exceed the following dimensions:

- Cemetery – 610mm x 305mm (24in x 12in)
- Memorial Garden – 305mm x 305mm (12in x 12in)

7.15 Ground tablets must be laid flush/flat with the ground level without surface protrusions. The Burial Authority reserves the right to re-lay any incorrectly placed tablets.

7.16 Flower vases are limited to one per grave and must be positioned adjacent to the headstone or at the top of a ground tablet and not encroach onto a neighbouring tablet. The Burial Authority will remove any objects which are not authorised.

8 Conditions regulating Suppliers/Contractors

All Funeral Directors and Stone Masons are required to provide to the Burial Authority the following documentation:

8.1 Full risk assessments and method statement showing how work will be undertaken and what measures will be taken to minimise the risk of personal injury or damage to property. These must cover all aspects of work the funeral director is likely to undertake, including any activities within the cemetery that are associated with the funeral service (including any activities associated with funeral services based on religious beliefs) and all issues relating to vehicle access and movements within the cemeteries. (Annual)

8.2 A copy of their health and safety policy and codes of practice. (Annual)

8.3 A copy of their Public and Employee Liability insurance. (Annual)

8.4 A copy of their BRAMM and NAAM membership certificates. (Annual)