

**Regulations for the Management
of the
East and West Hagbourne Cemetery
Dated 14th March 2023**

East and West Hagbourne Cemetery
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Regulations for the Management of the East and West Hagbourne Cemetery

These regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate regulations currently in force.

The cemetery was fully consecrated on 15th April 1984 by the Church of England.

INTERPRETATION

1. In these Regulations the "Committee" means the Cemetery Committee of East Hagbourne Parish Council acting as a Burial Authority for the parishes of East and West Hagbourne. The "Cemetery" means the Cemetery provided at Main Road, East Hagbourne. "Clerk" means the Clerk of the East Hagbourne Parish Council.

CONTACT DETAILS

All funeral bookings, general enquiries and comments regarding the Cemetery should be directed to the Clerk using the contact information on the cover page.

ADMISSION TO THE CEMETERY

2. The Cemetery will be open from 8 a.m. until sunset or 9 p.m., whichever is the earlier, excepting on Sundays and public holidays when the opening time shall be at 10 a.m. No person is permitted to be in the Cemetery outside of the published opening hours without the express permission of the Clerk.
3. Any person creating a nuisance or disturbance, such as interfering with a funeral, grave, memorial stone, flowers, trees, etc. will be required to leave the burial ground immediately and may be the subject of subsequent legal action. Visitors must not stand or sit on memorial stones.
4. No children under twelve will be admitted except under the care of a responsible adult.
5. No games, sports, riding of bicycles, skateboards, roller blades or similar are allowed in the Cemetery.
6. No consumption of alcohol or drugs may take place within the Cemetery and anybody under the influence of such substances will not be admitted.
7. Dogs are not allowed in the Cemetery with the exception of Guide Dogs, Hearing Dogs or other recognized Assistance Dogs, or with the express permission of the Clerk. Authorised dogs must be kept on a lead at all times.

INTERMENTS

8. Except on the production of a certificate that immediate burial is necessary on the grounds of public health, interments shall take place between the hours of 10 a.m. and 3.30 p.m. on weekdays. Interments shall not take place on Saturdays, Sundays or public holidays unless by special arrangement with the clerk.
9. A provisional booking for a funeral may be made by telephone to the Clerk. The provisional booking should be followed up by the submission of a completed Notice of Interment delivered to the Clerk 2 full working days prior to the interment; Saturdays, Sundays and public holidays shall not be counted as working days.

All notices of interment must be given on the Committee's printed form and this notice must be properly completed by the undertaker. Responsibility for error therein must rest with the person giving the notice.

No order shall be taken for an interment in a grave in which the exclusive right of burial is intended to be purchased, unless the name and address of the person to be registered as owner be supplied at the time, upon the same form. If the grave is purchased and is to be reopened for a further interment, the written permission of the registered grave owner must be given, except where burial is that of the registered grave owner.

10. A Certificate of the Registrar of Births and Deaths, or a Coroner's Order for Burial, must be delivered to the Clerk, being the person effecting the disposal of the body 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 Burial, must be delivered to the Clerk, being the person effecting the disposal of the body prior to the interment.

(Note: Any person to whom a Certificate is issued by the Registrar of Births and Deaths who fails to transmit such Certificate to the Clerk is liable to a penalty of £10 by virtue of the Birthday and Deaths Registration Act, 1953 Section 36 as amended by Section 92(1) of, and Part I of the Third Schedule to, the Criminal Justice Act 1967).

EXCLUSIVE RIGHT OF BURIAL

11. The exclusive right of burial may be purchased.
12. The purchase of the exclusive right of burial shall be for a period of 40 years, after which all rights shall revert to the Committee.
13. The purchaser of the exclusive right of burial will be furnished on payment of the prescribed fee with a Deed of Grant of the same.
14. A Register of Burials will be kept by the Clerk of the Cemetery Committee, where search may be made, and certified extracts obtained, upon payment of £25. An arrangement to see the Clerk may be made by using the above contact information from 9 a.m. to 4 p.m. Mondays to Fridays except on public and statutory Holidays.
15. The grantee may not without the consent of the Committee transfer the right of burial to another person.
16. Prior to any second or subsequent interment in a purchased grave, the Deed of Grant must be produced to the Clerk, with the notice of interment, and the written consent of the owner, unless the burial is for the owner.
17. After death the Exclusive Right becomes part of their estate and can be assigned by their executor to someone else. The executor will need to contact us to arrange a legal transfer of ownership before the grave can be opened again. If you are the owner of the right to a grave, we advise you to make provision for the right in your will. Where there is no probate, we can arrange transfer by statutory declaration.

The new owner will be able to place a new memorial or alter an existing one once they have obtained the right to erect a memorial. If the memorial right was held by the previous owner of the exclusive right of burial it will be transferred automatically.

GRAVES

18. The selection of sites of all graves is to be subject to the approval of the Clerk or other authorised officer.
19. A plan showing the division of the Cemetery into grave spaces may be seen, free of charge on application to the Clerk by appointment from 10 a.m. to 3 p.m. Mondays to Fridays except on public and statutory holidays.
20. All graves are to be dug or excavated under the direction of the Clerk or other authorised officer. Coffins of wood only will be allowed in earthen graves.
21. No grave is to be more than 3.65m (12') in depth.
Plot spacing is 122cm (48") from centre to centre of adjacent plots, aligning with existing rows.

CREMATED REMAINS

22. Cremation plots may be purchased.
Plot spacing is 61cm (24") from centre to centre of adjacent plots.
23. Urns or receptacles containing cremated remains may be interred in private graves subject to the regulation relating to the re-opening of such graves and the payment of the prescribed fee.
24. On payment the prescribed fee, cremated remains may be scattered beneath the surface of a grave, subject to the decision of the Clerk or other authorised officer as to the suitability of the grave for this purpose.
25. Regulation 9 of these Regulations shall apply to the interment or disposal of cremated remains.
26. The certificate for burial of the ashes issued by the Registrar of the Crematorium must be produced to the Clerk or other authorised officer before the interment or disposal takes place.
27. Cremated remains may not be disposed on the surface of any grave, or elsewhere in the Cemetery.

MEMORIALS

28. All memorials and inscriptions and the erection thereof are subject to the prior approval of the Committee.
Kerbstones are not permitted.
29. A minimum of 6 months should pass before a memorial is erected after an interment.
30. All memorials must be installed so they line up with existing memorials along and across the rows. For rows F onwards, this means that the memorial stone faces West due to the configuration of the rows.
31. A completed application form signed by the grave owner and the memorial mason must be submitted to the Clerk. This must contain a dimensioned illustration of the memorial and/or a copy of any proposed inscription. No memorial may be erected or inscription added without written permission from the clerk.
32. Memorials should conform to the following: -
 - (a) All memorials must be of natural stone.
 - (b) Vases must be installed as an integral part of the memorial, or individually providing that they do not exceed 20cm (8") in height and are erected on a suitable plinth or bearer.

(c) The size of memorial for a full grave must be within the following measurements:

Foundation: 91.5cm (36") wide x 30.5cm (12") x 7.5cm (3") deep, installed flush to the ground

Memorial: Maximum height 90cm (35.5") tall (including base plinth) x 68.5cm (27") wide x 10cm (4") deep.

The memorial base plinth should be smaller than any foundation installed, and no taller than 4".

(d) The size of memorial for cremated remains must be within the following measurements:

Foundation: If required - 18" x 18" x 3", installed flush to the ground.

Memorial: Overall dimensions 46cm (18") tall x 46cm (18") wide x 46cm (18") deep.

Base plinth if required should not exceed 7.5cm (3") tall and should be included in the overall size of the memorial dimensions noted above.

These dimensions can accommodate a flat tablet, wedge, upright or book-style memorial. An integral vase may be incorporated into the design.

(e) All stone masons must adhere to BS8145.

33. (a) Inscriptions on any form of memorial may be of the following types:-

- (i) Incised.
- (ii) Incised and painted.
- (iii) Inlaid with lead or bronze.
- (iv) Carved in relief
- (v) No more than 10% in total of the memorial face may be coloured, to include any pattern, design or image on the memorial.
- (vi) Any inscription or detail on the reverse of a memorial must conform to the guidelines in 33.(a) (i), (iii) and (iv). The reverse of a memorial should have no coloured inscription, pattern, design or image.

(b) The number of the grave shall be cut clearly on the side of a memorial at the expense of the owner.

34. All persons at work in the Cemetery in connection with graves, monuments or otherwise:-

- (a) Shall comply with all reasonable directions and requirements of the Clerk or other authorized officer.
- (b) Shall clear away all dirt and rubbish and leave all sites in a clean and tidy condition.
- (c) Shall make good any damage that may be caused when carrying out work in the Cemetery.
- (d) Shall notify the Clerk or other authorized officer before starting work.

35. No memorial or part of a memorial may be removed from the Cemetery without the prior approval of the Clerk or other authorized officer. Any memorial removed in the process of opening a grave shall be removed at the risk and expense of the person requiring the grave to be opened.

36. Any memorial taken down for any purpose must be replaced on the grave as soon as possible or removed from the cemetery. If a memorial is not replaced on the grave or taken from the Cemetery within four

months of the date of its removal from the grave, the Committee may give notice to the owner of the grave or the person requesting the memorial to be taken down, requiring replacement or removal from the Cemetery. If this notice is not complied with in fourteen days the memorial shall become the property of the Committee absolutely and will be removed or destroyed.

37. All memorials erected within the Cemetery shall be kept in good repair by and at the expense of the owner. Memorials will be routinely inspected every 5 years and the Committee reserves the right to make safe or to repair any memorial which is allowed to fall into disrepair, become unsightly or dangerous, at the expense of the owner. Please see the Memorial Safety and Memorial Management Policies for full details.
38. The Committee will not be responsible for any accident to monuments or gravestones occasioned by any cause.
39. Any person not complying with the Regulations may be refused admittance to the Cemetery for such periods as the Committee may think fit.

CARE OF GRAVES AND MEMORIALS

40. The cemetery is NOT managed by the Parish Council, therefore the responsibility for maintaining each plot lies with the owner. The plot owner will be liable for reinstatement costs should any memorial on the plot be found to be loose or requiring rectification.
41. Kerbstones and raised edging are not permitted. Any other material changes to a plot including addition of gravel, flat edging or other surface treatments must be in natural stone and may not be added without prior approval of the committee.
42. Low level planting is permitted but must not overhang the plot boundaries and must be maintained by the owner. No trees or shrubs are to be planted.
43. The Committee reserves the right to prune any plantings on a grave space that has become unsightly.
44. Vases may be made only of metal and earthenware. Vases must be embedded in the soil, so as not to interfere with grass cutting. Pots, tins, jars, bottles or similar articles are not permitted and may be removed. All items are left in the cemetery at the owner's risk, the committee will not accept responsibility for loss or damage.
45. All graves which are found to be neglected may be levelled by the Committee and kept tidy.
46. All litter must be removed from the site. Please use the large bin by the Lych Gate to dispose of general waste including cuttings and help keep the cemetery tidy for all visitors.
47. Any earth cleared from a grave after settlement must be removed from the cemetery at the owner's expense.

FEES

48. All fees and charges are to be paid in advance. Cheques should be made out to East Hagbourne Parish Council.

NOTES

Attention is also drawn to articles 5 (6): 10 (6): 18, 19 and Part I of Schedule 2 to the Local Authorities Cemeteries Order 1977, viz: -

5 (6) A burial authority may at the request of a particular denomination or religious body prohibit the interring or scattering of cremated human remains in or over a part of a Cemetery set apart for their use.

10 (6) No body shall be buried, or cremated human remains interred or scattered in, or over any grave or vault in which an exclusive right of burial for the time being subsists except by, or with the consent in writing of, the owner of the right.

This paragraph shall not extend to the body, or remains, of the person who immediately before his death was the owner of the right; or any other person specified in the deed of grant or in an indorsement thereon made at the request of the owner for the time being of the right by the officer appointed for that purpose by the burial authority.

18 (1) No person shall: -

- (a) Wilfully create any disturbance in a Cemetery.
- (b) Commit any nuisance in a Cemetery.
- (c) Wilfully interfere with any burial taking place in a Cemetery.
- (d) Wilfully interfere with any grave, or vault, any tombstone or other memorial, or any flowers or plants on any such matter, or
- (e) Play at any game or sport in a Cemetery.

18 (2) No person not being an officer or servant of the burial authority or another person so authorised by or on behalf of the burial authority shall enter or remain in a Cemetery at any hour when it is closed to the public.

19 Every person who contravenes: -

- (a) Any prohibition under article 5 (6),
- (b) Article 10 (6),
- (c) Article 18,
- (d) Part I of Schedule 2,

Shall 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 therefor.

Schedule 2 – Part I

1. No burial shall take place, no cremated human remains shall be scattered and no tombstone or other memorial shall be placed in a Cemetery, and no additional inscription shall be made on a tombstone or other memorial, without the permission of the officer appointed for that purpose by the burial authority.
2. No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave:

Provided that the burial authority may, where they consider the soil to be of suitable character, permit a coffin made of perishable materials to be placed not less than two feet below the level of any ground adjoining the grave.

3. No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave on a previous occasion by means of a layer of earth not less than six inches thick.
4. When any grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove therefrom any soil which is offensive.
5. Every walled grave or vault shall be properly constructed of suitable materials.
6. Within 24 hours of any burial in a walled grave or vault, the coffin shall be: -
 - (a) Embedded in concrete, and covered with a layer of concrete no less than six inches thick; or
 - (b) Enclosed in separate cell or compartment of brick, slate, stone flagging or precast concrete slabs of a 1:2:4 mix, in any case not less than two inches thick, in such a manner as to prevent, as far as may be practicable, the escape of any noxious gas from the interior of the cell or compartment.
7. Any person to whose order a body is buried in a grave in respect of which an exclusive right of burial has been granted shall, as soon as conveniently may be after the subsidence of the earth has been completed, cause the surface of the grave to be covered with any tombstone or other memorial in respect of which a right has been granted by the burial authority or any predecessor of theirs, or with fresh turf, or, where the burial authority permit, with such flowering or other plants, shrubs, or in such other manner, as may be permitted.