

# GUILDEN MORDEN PARISH COUNCIL

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## CEMETERY REGULATIONS

Parish Cemetery  
New Road, Guilden Morden  
Cambridgeshire

Established 1896



These regulations are not intended to conflict with any current Cemetery Orders.

*June 2012*

### Definition of Terms

In these regulations, unless the context otherwise requires, the following shall have these meanings assigned to them:

‘Council’ - Guilden Morden Parish Council.

‘Committee’ - those Parish Councillors nominated by the Council to undertake the care and administration of the Cemetery.

‘Clerk’ - the person appointed by the Council to administer all records and operational business of the Cemetery.

‘Interment’ -the burial, depositing or scattering of human remains.

‘Exclusive Rights of Burial’ – the exclusive right, granted by deed, of the registered owner to determine who may be interred in, or commemorated on, the grave in question. Such exclusive rights are for a limited period of 40 years.

‘Purchased Grave’ – an assigned Exclusive Right of Burial for a fixed number of years as defined by the granted Deed.

‘Lawn Grave’ – a grave laid level in grass from the foot end to no less than half its length, where a memorial consisting of a headstone, book, vase or small plaque may be erected subject to approval by the Council.

‘Bona fide resident’ – someone who either is listed on the electoral register at the time of death or who has resided in the parish at some time during their life for a period of not less than 1 year

### General

1. The operation of the Cemetery and any interments therein, will be carried out strictly in accordance with the provision of The Local Authorities Cemetery Order 1977 and such other Regulations as may be made by Her Majesty’s Secretary of State from time to time.
2. The Cemetery is to be administered by the Clerk, in line with the requirements of the Council.  
All matters relating to the Cemetery are to be addressed to the Clerk.  
A table of current Fees is obtainable from the Clerk.
3. All persons entering the Cemetery will be subject to the orders and control of the Clerk and Council.
4. The Cemetery will be open to the public on such days and at such times that the Council may, from time to time, determine. Details of these can be obtained from the Clerk.
5. All persons admitted to the Cemetery shall conduct themselves in a decent, quiet and orderly manner and are reminded of the Local Authorities Cemeteries Order 1977, Article 18(i)  
Persons shall not:
  - 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) play at any game or sport (includes exercising) in a cemetery
6. All visitors to the Cemetery must keep to the footpaths and roads, where appropriate and comply with any notices within the Cemetery.
7. No person shall amend, revise or establish a memorial unless authorised by the Council.
8. The Council reserves the right to withdraw amend regulations as and when considered necessary.
9. Once the memorial is in place all flowers must be placed in vases within the memorial and not on the grave.
10. For all new purchases, burials or interments permission will be conditional on the funeral director or the stone mason agreeing to be responsible for the plot or the memorial for a minimum of 12 months (3 years in the case of a memorial) during which time the plot/memorial will be monitored and the funeral director being asked to attend to any breaches of regulations and the mason to straighten any memorials.
11. A fully completed and signed notice of interment together with a copy of either the certificate of cremation or the green form and the fee are to be sent to the Clerk giving much notice as possible for an

application for interment to enable time for the application to be checked and processed. All fees due are to be paid in full to the Clerk 72 hours in advance of the interment. Delay in payment may result in the funeral being delayed.

### Interment

1. A Grant of Exclusive Right confers no other than that of burial.
2. The owner of the Exclusive Right of Burial holds that right subjected to the regulation in force which shall include:
  - a) The right of burial shall be (subject as mentioned) for a period of 40 years from the date of the purchased Grant, after which the owner has a right of renewal for a further period.
  - b) The Grantee or successor in title may, during the last five years of the above mentioned period on payment of the current fee, obtain a renewal of the Grant for a further period, subject to such regulations and restrictions in force at that time.
  - c) Where a period of grant of an exclusive right has lapsed and no notification of the intent to renew has been received from the person who held the exclusive right of burial, the right of burial will lapse and revert to the Council, whereupon the Council may grant a new exclusive right of burial to another person.
3. The purchasing of an exclusive right of burial shall be at the sole discretion of the Council and that the selection of the interment sites is subject to approval by the Clerk.
4. If a parishioner of this parish, following the purchase of an exclusive right of burial leaves to reside elsewhere, that parishioner shall retain the right of the Grant as if continued in residence of this parish.
5. A Grant of exclusive right of burial may, at the discretion of, and after due consideration by the Council be granted to a non-parishioner following the appropriate payment of fees.
6. The assignment by the owner of the exclusive right of burial purchased at parishioner rates to a non-parishioner, will require a fee payable to the Council of the current non-parishioner rate.
7. The Council will not recognise any reassignment of the exclusive right of burial whether by Deed or otherwise without valid proof of such assignment.
8. The Council will consider surrender of an exclusive right of burial and if accepted payment made of fees subject to, outstanding period, administrative costs and to the extent to which the excised right of burial has already been discharged. A copy of relevant fees will be with the Clerk.
9. The number of interments in a grave space will be defined at the time of purchase.
10. Interment relating to graves will be with preference to Lawn Graves.
11. Preparation of the grave for interment will be inline with the Local Authorities' Cemeteries Order 1977 (204) Schedule 2 Part 1.
  - a) No body shall be buried in a grave in such a manner that the coffin is less than 900mm (3 feet) below the level of any ground adjoining the grave.
  - b) No body shall be buried in a grave unless the coffin is effectively separated from any coffin already interred in the grave, by means of a layer not less than 150mm (6 inches) thick. In addition the Council require that the grave be made 'almost level' to any ground surrounding the grave and the top soil and the turf replaced. This is to allow for the ground settling in the first year and general tidiness of the Cemetery.
  - c) The grave will be checked to ensure that it is dug to the correct depth to ensure the safety of mourners standing at the graveside.
  - d) The name on the casket will be checked against the papers upon entry to the cemetery.
  - e) A copy of either the certificate of cremation or the original green form, together with the notice of interment and the fee, should be handed to the Council's representative at the lych gate.
  - f) A plan will be drawn up showing the depth and location of all interred caskets (coffin and cremated remains).
  - g) Interred caskets may not be touched or disturbed once interred without an official order to exhume.
12. The exclusive right of burial relating to the interment of cremated remains in a niche shall be for a period of 20 years, after which it shall lapse and revert to the Council. Regulations for renewing the right and assignment by an exclusive right of burial are as for interments.

13. Cremated remains not interred within a niche are required to be in biodegradable vessels.
14. The Clerk is to be notified by an applicant for interment within a grave when the death was as a result of a contagious or infectious disease.
15. Interment within a grave as a result from a contagious or infectious grave will result in the coffin being taken directly to the graveside for the burial ceremony. The coffin to be used must be of rigid construction and sealed at all times.

### Memorials

1. All monuments, memorials and inscriptions are to be subjected to the approval of the Council. An inscription proposed along with a sketch / drawing showing the form and dimensions must be presented to the Clerk for consideration by the Council.
2. Memorials relating to a Lawn grave shall conform to the following requirements and be erected at the head of the grave space no sooner than six months from the date of interment.
  - a) not to exceed a 900mm (3 feet) height from natural ground level
  - b) not to exceed a 700mm (2 feet 6 inches) square 'foot' print.
  - c) no material used in the construction of a memorial shall be less than 50mm (2 inches) in thickness.
3. Photo plaques of the following sizes shall be permitted and should be included in the written application.  
Oval 9cm wide x 11.5cm max.  
Round 10cm diameter max.  
Square 10cm x 10cm max.
4. One or two flower vases set into the base of the memorial are permitted. (Fees will apply.) Loose flowers are not permitted on the grave itself.
5. All memorials must comply with the current NAMM accredited fixing system and to the NAMM code of working practice.
6. The Council reserves the right in the interest of general tidiness to level mounds and apply herbicides. Planting of shrubs or other perennials on graves is therefore inadvisable.
7. Any memorial placed on a grave in which a further interment is to take place shall be removed by and at the expense of the person giving the order for the further interment and shall be erected or replaced by and at the expense of such person as soon as practicable.
8. All memorials shall have inscribed on the back surface, in such a manner as to be lasting and easily read, the cemetery reference to the space to which the memorial is dedicated, as defined on the Grant.
9. The Council accepts no responsibility for damage to a place of interment or to any memorials and reserves the right to remove any memorial of whatever kind that has become dilapidated, unsightly, unsafe or inappropriate.
10. Where a memorial has become unstable, a ground anchor must be installed to which the memorial is fastened, rather than laying the memorial flat on the ground. The family will be contacted wherever possible to ask them to make the memorial safe. If the family cannot be contacted the plot will have a charge placed on it that it must be cleared before it is opened for any further interments or memorial inscriptions.
11. Shrines / memorials not accompanied by cremated remains will be for an initial period of 10 years. For subsequent renewals, multiples of 10 years but not exceeding 50 years shall be permitted. Renewal requests are required to be made within the last two years of the current term.
12. Each application for a niche will be considered by the Council individually.

### Grave Space Reuse

1. Reuse of a burial space will be authorised following a period not less than 100 years subsequent to the most recent interment within that space and following a period of six months from the public announcement by the Council of such intent.
2. Current cemetery regulations will apply to all grave spaces reused.

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