



Cemetery Regulations 2017

Introduction

1. Gwinear-Gwithian Parish Council is the burial authority for the civil parish of Gwinear-Gwithian in the County of Cornwall. These regulations have been put together by the Council for the better management, regulation and control of Connor Downs Cemetery, off Gwithian Road, Connor Downs, Hayle, Cornwall and in accordance with the Local Government Act 1972 and the Local Authorities' Cemeteries Order 1977 ("the Order").

Scope and application

2. Powers and discretions reserved to or exercisable by the Council shall, for the purposes of these Regulations, be deemed to be exercisable by any officer, employee of the Council or Contractor with authority from the Council and/or the Council as a whole or any committee of it.
3. These Regulations shall apply to the cemetery at Gwithian Road and any extension of or addition to it and to any other land acquired by the Council for use as a cemetery.

Access

4. Any person may enter the cemetery at any time subject to the following restrictions:
- Children under 10 ten years of age should be accompanied by an adult;
 - The Council reserves the right to restrict access to the cemetery;
 - Dogs shall not be allowed in the cemetery unless on a lead, owners must clean up any mess made by dogs before leaving the cemetery.

Interments

5. Interments shall be allowed between the hours of 9.00am and 5.00pm from Monday to Friday. No interments shall be permitted on Saturdays, Sundays or Public Holidays save by prior arrangement and upon payment of any additional fee prescribed by the Council from time to time.
6. Not less than 72 hours' notice exclusive of Saturdays, Sundays and Public Holidays shall be given prior to any interment. Such notice shall be given on the form prescribed by the Council (Appendix A) and delivered to the Council Office, Unit 3 Bosproval Business Units, Penhale Rd, Carnhell Green, Camborne, Cornwall, TR14 0LU or emailed to the Clerk at clerk@ggpc.org.uk

7. All fees due in respect of the interment must be paid when the notice is delivered. The form must be properly completed. Responsibility for any error in the form or calculation of the fee shall rest with the person giving the notice. No interment shall be allowed if any fees or charges remain unpaid or information required is outstanding.
8. The person having charge of the funeral shall make all arrangements with the gravedigger and the clergyman or minister whom it is intended shall officiate. They must also ensure suitably qualified individuals are used for any works within the cemetery and send an up to date copy of any relevant Public Liability Insurance, risk assessment & method statements for themselves or other contractors they use, such as gravediggers prior to permission being granted by the Council for works to commence.
9. No memorials may be dismantled on existing graves unless and until permission has been granted by the Council following receipt of:
- i. an up to date copy of any relevant Public Liability Insurance, risk assessment & method statements for themselves or other contractors they use prior to permission being granted by the Council for works to commence.
 - ii. evidence that suitably qualified individuals are used for any works within the cemetery
10. the contractor must ensure dismantled memorials are safe and do not pose a hazard to any public, employees of the Council or other contractors.
11. All graves must be dug by trained gravediggers who are suitably dressed in compliance with health and safety regulations. All graves shall be dug and made and all interments shall be carried out in accordance with the directions of the Council. Graves shall be dug out from the centre line of the earth plot on either side as necessary to obtain the desired length of grave. After burial, earth shall be replaced and kept level with the surrounding area. Any surplus earth must be removed from the cemetery by the contractor.
12. Newly dug graves will be inspected to ensure that they are properly shored to ensure no risk of collapse, and that a suitable platform is placed at the graveside to prevent visitors from falling into the grave.
13. The Registrar's certificate for disposal, or the Coroner's order when an inquest has been held, shall be produced to the Council at or before the time of the interment.

Exclusive Right of Burial

14. The exclusive right of burial for a period of 50 years must be purchased in respect of a grave space allocated for the purpose by the Council. Extensions of the term of exclusive right of burial may be purchased in increments of 25 years whenever the remaining period of the exclusive right is less than ten years but only by the person or persons then registered with the Council as the owner or owners of the existing exclusive right. No more than four persons shall be entitled to hold and be registered with the Council as the owner or owners of an exclusive right of burial at any one time.
15. Applications for the grant of right of burial or an extension thereof shall be made using the form specified by the Council (Appendix B) and upon payment of the prescribed fee.

16. The transfer of right of burial (owing to death or otherwise) must be registered and the Deed produced to the Council. On the death of the grantee, the title of the successor will be registered on the production of satisfactory evidence of his or her title and on payment of the prescribed fee.

17. The right of burial in a private grave (meaning a grave in respect of which exclusive right of burial has been granted by the Council) shall be exercisable in respect of any interment, subject to the provisions of the Council's Regulations then in force and to the following condition:

If the Notice of Interment is signed by a person other than the registered owner of the right of burial, the applicant shall:

- i. Produce the written authority of the registered owner for the interment to take place
- ii. If the registered owner is deceased, produce evidence satisfactory to the Council of the death of the registered owner and (except in the case of the burial of the registered owner) procure registration of the transfer of right of burial to the applicant in accordance with paragraph 12 above.

Rules about graves

18. After interment no remains shall be removed unless there has been produced to the Council the faculty or licence required by the law from the necessary authorities.

19. As soon as practicable after burial the grave shall be levelled by the applicant/owner of the exclusive rights or anyone employed by them. Ornaments are permitted on memorials in accordance with paragraph 29 below or a single pot or vase containing a small plant or cut flowers assuming they are kept within the grave and are maintained in perpetuity.

20. The Council may remove any articles placed or planted on graves which breach these Regulations or which have become broken or unsightly.

Council Employees and Authorised Contractors

21. Employees of the Council shall not be employed to carry out any private work whatever within the Cemetery.

22. Other persons may only carry out work in the Cemetery with the prior consent of the Council which may be granted subject to reasonable conditions (for example, that satisfactory evidence of adequate insurance against third party risks and copies of suitable risk assessments and method statements are produced).

23. No person shall wilfully impede, obstruct, disturb or interrupt any officer or workman of the Council in the proper discharge of their duties.

Memorials

24. Memorials installed in the cemetery will conform to:
The National Association of Memorial Masons Code of Working Practice and BS8415 specification for Memorials and Monuments in burial grounds.

25. No memorials may be erected/dismantled/re-erected unless and until permission has been granted by the Council following receipt of:

- i. an application using the prescribed form (Appendix C), signed by the rights owner and
- ii. accompanied by the prescribed fee
- iii. a drawing showing the form, dimensions and proposed material of each memorial and the inscription thereon
- iv. an up to date copy of any relevant Public Liability Insurance, risk assessment & method statements for themselves or other contractors they use prior to permission being granted by the Council for works to commence.
- v. evidence that suitably qualified individuals are used for any works within the cemetery

26. All new memorials shall be of materials that will bear continuous exposure to the weather.

27. the contractor must ensure dismantled memorials are safe and do not pose a hazard to any public, employees of the Council or other contractors.

28. Stones, rails, chains, solar lights or anything to enclose or to define any area of the grave space must not impede or cause a nuisance to any other grave space.

29. Every memorial shall be firmly set upon a regular concrete foundation, the top of which shall be at ground level. The foundation shall be a least four inches thick and four inches larger than the memorial base in all directions.

30. Memorials on grave spaces for coffin burial shall not exceed;

- i. For headstones or crosses 2 feet 6 inches in width, 1 foot 4 inches from front to back and 3 feet in height, and shall nowhere be less than three inches in thickness.
- ii. For flat stones 6 feet 6 inches in length, 2 feet 6 inches in width, and shall nowhere be less than three inches in thickness.

31. Joints shall be adequately dowelled with copper bars, not less than 6 inches (150mm) long and 1 inch (25mm) in diameter.

32. Vases and other containers for flowers shall be of suitable and durable material to the satisfaction of the Council. They should be kept on the concrete plinth in front of the memorial or, preferably be incorporated in the memorial stone. The Council reserves the right to remove any vase, container or any other object not complying with this regulation. The Council reserves the right to remove any flowers, artificial or otherwise, if the condition of them has deteriorated unacceptably.

33. Memorials shall be erected by or on behalf of and shall remain only at the sole risk of the person to whom permission for the installation has been granted in respect of damage thereto or for any injury or damage caused thereby. A memorial of any description is the responsibility of the owner and the Parish Council cannot be held responsible for any loss or damage.

34. The size of headstones in the cremation section should be a maximum of 20 inches high x 16 inches from front to back and 24 inches wide.

35. No memorials shall be altered after they have been erected in the cemetery according to their approved design nor shall any additional inscription be cut thereon without the consent of the Council obtained in the manner prescribed in paragraph 23.

Reservations by the Council

36. The Council expressly reserves the following rights:-

- a. To prune or remove any shrub, plant or flower, whenever, in the opinion of the Council it has become unsightly or overgrown or when necessary for the purpose of allowing any grave to be used.
- b. To remove any flowers, wreaths or articles placed upon any or near any grave space which, in the opinion of the Council, have become unsightly;
- c. Temporarily to take down any memorial which may be rendered unsafe or dangerous during the excavation of an adjoining grave
- d. To take down any memorial which, in the opinion of the Council, has become unsafe
- e. To refuse to approve a design for a proposed memorial or an inscription upon a proposed new or existing memorial without giving reasons for doing so
- f. To remove any articles which are not permitted by the Regulations then in force or which obstruct maintenance of the Cemetery
- g. The right of passage over all graves for all purposes connected with the Cemetery
- h. To revise these Regulations and fees from time to time.

Fees

37. All fees and charges must be paid prior to any given interment, grave purchase or memorial installation. Fees are shown at Appendix D.

38. Charges are based on the residency of (in the case of interments and memorials) the deceased and (in case of exclusive right of burial) the purchaser.

39. The decision of the Council as to whether a person is resident or not shall be final.

40. Appendices;

- i. Interment Form
- ii. Exclusive Rights Form
- iii. Memorials Form
- iv. Cemetery Fees

Version 1

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