



Halton with Aughton Parish Council

BURIAL GROUND RULES AND REGULATIONS

Approved and adopted 13th April 2022

INTRODUCTION

These Rules and Regulations were updated in April 2022. The updated regulations come into force on 1st May 2022 and will supersede the former regulations, dated December 2018.

The fees and charges are reviewed annually and are available on the Council's website:

www.haltonwithaughton-pc.gov.uk

All enquiries should be addressed to:

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INTERPRETATION

In the construction of these Rules and Regulations the following words and expressions shall have the meaning hereinafter assigned to them, that is to say: -

- "The Council" means the Parish Council of Halton with Aughton.
- "The Burial Ground" means the Burial Ground provided by the Council situated in Foundry Lane, Halton.
- "Registrar" means the person for the time being appointed by that designation to act as Superintendent of the Burial Ground or any person for the time being authorised by the Council to act in his/her behalf.
- "Grave" means a burial space, formed in the ground by excavation, without any internal wall of brickwork, stonework or other lining.
- "Burial plot" means the area of land, not exceeding nine feet (2.75m) by four feet (1.2m), identified on the cemetery plan in which a grave or vault is situated.
- "Body" means the body or cremated remains of a deceased person brought to the cemetery for burial.
- "Exclusive Right of Burial" means the right, granted by the Council for a limited period not exceeding 100years, to bury a body in a specified burial plot.
- "Grave owner" means the person who is registered with the Council as the owner of the Exclusive Right of Burial.
- "Memorial" means a headstone, tablet, or cross.

GENERAL

1. Plans of the Burial Ground.

A plan of the Burial Ground showing the situation of each grave is kept by the Registrar and may be inspected free of charge by persons desirous of applying for grave spaces.

2. Notices of Interment, etc

All notices of interment and applications for grave spaces shall be given or made in writing to the Registrar. No interment will be allowed to take place in any grave in respect of which any fees or charges are or remain unpaid.

3. Length of Notice.

Not less than 72 hours' notice must be given for an interment, exclusive of Saturday from noon, Sunday, Christmas Day, Good Friday and Bank Holidays.

4. Short Notice.

Interments at short notice will, when possible be arranged in exceptional cases and where this necessitates the Burial Ground employees working after the usual hours, the amount of overtime incurred shall be charged in addition to the usual fees to the person responsible for the funeral.



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5. Fees

A non-resident shall pay double the fee for all charges including purchase, interment and memorials. A non-resident shall be deemed to be someone who has no past or present connection to Halton-with-Aughton at the discretion of the Council.

6. Postal and Telephone Messages.

Orders accompanied by remittances will be accepted if sent by post, but the Council will not accept any responsibility for any loss or delay if orders do not reach the Registrar in time. Any orders or instructions given by telephone will be received at the sole risk of the person giving such orders or instructions, unless immediately confirmed in writing in the manner provided by these regulations.

7. Certificate of Registry of Death.

The Certificate of the Registrar of Births and Deaths of the registration of death or, in cases where a Coroner's Inquest has been held, the Coroner's Order, must be produced at the time of interment as required under section 1 of the Births and Deaths Registration Act 1926. For the burial of the body or a stillborn child a certificate of the Registrar of Births and Deaths will be required, or an Order of the Coroner, as required by Section 5 of the Births and Deaths Act, 1926.

8. Change of Title.

In the event of the death of the owner the exclusive right of burial in a grave, the person claiming to be entitled to the said exclusive right of burial must, within six months of such death, produce the deed of grant to the council, and furnish proof of his or her title to the grave.

9. Consent of Owner for Interment in a Purchased Grave.

No grave in which the exclusive right of burial has been purchased shall be opened without the production of the deed of grant and the written consent of the owner, or his or her legal representative, providing always that in cases where the deed of grant has been lost or mislaid, or where the consent of the owner cannot be conveniently obtained, a grave will be opened on application of any person whom the council shall consider thereto on such person giving an Indemnity to the Council.

10. Register of Burials.

A Register of Burials shall be kept by the Registrar in which the name and age of the person buried, the date of the burial and the grave where buried shall be registered and where searches may be made during office hours and certified extracts obtained on payment of the prescribed fees.

INTERMENTS

11. Type of Service

Any Religious Service or Ceremony may be performed at burials provided the Service or Ceremony is decorously conducted.

12. Hours of Interment.

The usual hours of interment are Mondays to Fridays, 10am to 3pm.

13. Alterations of Arrangements

When a notice for an interment has been given, no alteration will be permitted as to the time of the burial or the kind of class or ground for which the interment has been ordered unless two days' notice thereof is given to the Registrar, and payment is made of an amount to be fixed by the Council in respect of any work which may have already been executed, or for any other expenses which may have been incurred.

14. Selection of Grave Spaces

The selection of spaces for graves is subject to the approval of the Council or its officers, but the wishes of the applicants will be met as far as practicable. Persons who wish to secure a particular space, (but do not require an interment until a future period), may reserve the ground upon payment of the usual charge.

15. Size of Grave Spaces

All grave spaces are nine feet by four feet and will be dug to such depths as the Council may think fit, but in no case will a grave be dug to a greater depth than the subsoil, drains, or than the nature of the



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ground will allow, and no grave will be allowed to be deepened after the first interment. No grave shall be dug or excavated except by persons appointed by the Council.

Excavation of graves shall only occur with the Registrar's prior authorisation and by approved persons.

16. Public Graves

The charge for interment in a public grave does not include any right or privilege other than the right of burial in a grave to be selected by the Council, but the Council will allow, at its discretion, a suitably inscribed flagstone on the Burial Ground path.

17. Coffins, etc

No coffin shall be buried in any grave within three feet of the ordinary level of the ground. A person shall not, in the Burial Ground, cause a body to be buried in a grave which an interment has taken place unless the coffin containing the body is effectually separated from any other coffin already placed and remaining in the grave by means of a layer of earth no less than one foot in thickness.

Where in the burial ground any grave in which an interment has already taken place is re-opened for the purpose of making another interment therein, a person shall not disturb any human remains interred therein or remove there from any soil which is offensive.

18. Excavating

As part of the normal process of digging a grave for a funeral, it is sometimes necessary to place a soil box on adjacent graves. This is so that the soil removed for the funeral is returned to the same grave once the burial has taken place.

In such cases, to minimise distress to the relatives of adjacent occupied graves, the new grave should not normally be dug more than 2-3 days in advance. A photo of the adjacent grave should be taken prior to any work occurring so that it can be returned to the original state afterwards. All tributes, vases, flowers, etc. must be protected or temporarily relocated to a safe location during the work.

19. Removal of Remains.

No coffin can be removed after burial except under the Licence of the Secretary of State, or under the faculty of the Bishop or Diocese in the case of a removal from one consecrated place to another.

20. Leaving of Rubbish.

Persons cleaning graves are not allowed to leave upon the ground any rubbish removed there from but are required to convey the same to places in the Burial Ground provided for the purpose.

21. Funerals are Under the Control of the Registrar.

All funerals at the Burial Ground are under the control of the Registrar. Hearses, carriages and other vehicles must not be taken into the Burial Ground.

22. Cremated Ashes.

Provided that application is made to the Registrar and the appropriate fee paid, cremated ashes may be interred within, or scattered over, a grave for which the Exclusive Right of Burial has been purchased.

23. The Cremated Remains Section of the Burial Ground.

Spaces approximately 2 ft. x 2 ft are provided for the disposal of cremated remains, each space to accommodate a maximum of four cremated remains. Each space is to be purchased and a grant of Exclusive of Right of Burial will be issued to the purchaser.

MEMORIALS

24. Temporary Memorials on Graves

For the first 6 months from the date of burial a temporary memorial [wooden cross 18" (45cms) x 30" (76cms)] will be permitted within the head area of the grave after which it is subject to removal. If at any time items become unsafe, broken or unsightly they may be removed by the Council.

25. Permanent Memorials on Graves

The only type of memorial permitted is a headstone not less than 2 ft and not more than 3 ft in height; not less than 1 ft 6 in., and not more than 2 ft 6 in. in width, and not more than 1 ft 6 in. in thickness. It must have a concrete foundation or bearer slab of at least 3 ft. x 1 ft 6 in and 3 in. thick, set not less than 3 in. below ground level.

No memorials of any kind will be permitted in the Woodland area.



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26. Cremated Remains Section

- a) One 14" square plaque placed centrally on a 2 ft. x 2 ft. cremated remains space, OR,
- b) Four 12 in. square plaque placed so as to cover the whole of the 2 ft. x 2 ft. cremated remains space.

No alternative sizes of plaques will normally be permitted, and plaques must be placed in such a way that they will not interfere with the maintenance of the grass surface.

27. Designs of Memorials.

All designs for memorials are subject to approval by the Council. A copy of every drawing showing the dimensions of every memorial proposed to be erected, together with a copy of every proposed inscription, and an authority from the owner of the grave to the mason to erect the headstone or lay a plaque, (or plaques), on a cremated remains space shall be submitted to the Registrar.

28. Issue of Permit.

After approval, a permit will be issued by the Registrar on payment of the prescribed fee. No memorial or inscription may be erected or placed within the Burial Ground until the permit is issued.

29. Owners Responsible for Memorials.

All memorials admitted to the Burial Ground or permitted to be erected therein shall be so erected and remain the sole risk of the owner thereof. All memorials, if moved by a servant of the Council on the occasion of the opening of a grave, will be moved and replaced at the risk of the owner. The Council shall not be held responsible for memorials injured or damaged through any cause whatsoever.

30. Alteration of Memorials.

No memorial shall be altered or interfered with after it has been erected or placed in the Burial Ground according to the design submitted to and approved by the Council, nor shall any additional inscription be cut thereon without the consent of the Council, notified in writing.

A copy of every such additional inscription must be submitted to the Registrar and the fees paid in exchange for the official permit.

31. Unauthorised Memorials.

The Council shall have the power to remove, at the expense of the owner, any memorial which is placed within the Burial Ground without the necessary authority, and at the like expense to delete any unauthorised inscription appearing on any memorial within the Burial Ground.

32. Removal of Memorials.

No memorials shall be removed from the Burial Ground without the consent of the Council and until the fees are paid in respect of such removal.

33. Erection of Memorials on Private Graves.

Memorials or plaques are only allowed to be erected on graves or placed on cremated remains spaces for which the Exclusive Right of Burial has been purchased.

34. Memorials of Wood, etc, Prohibited.

No wooden monuments, tablets, memorials, plaques or erections of any kind will be allowed over any grave or cremated remains space.

35. Masons, Names on Memorials.

Masons may, if they so desire, cut their names on the back of the base of memorials, but it must be distinctly understood that this is the only place where they will be permitted.

36. Identification of Memorials.

Every memorial shall have cut upon it the section or plot and the number of the grave over which it is erected.

37. Taking down Memorials.

The Council reserve the right temporarily to take down any memorials which may be rendered unsafe or dangerous during the excavation of any adjoining graves.



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MAINTENANCE

38. Memorials

All memorials and vases shall be maintained in a clean and tidy manner, and in a good and safe condition at all times and at the expense of the Grave Owner. The Council will take such action as deemed necessary to render safe any memorial which in the Council's opinion is a hazard, and any costs incurred by such action will be recovered from the Grave Owner.

39. Ornaments, Plants

One vase may be placed not more than 2 ft. in front of the headstone. The vase must not bear any inscription and must be moveable.

Once a memorial is in place flowers or pot plants may be placed on the base only. No item is permitted in the lawned area of the grave or between the rows of headstones. The Council may remove any such item, without notice.

Nothing must be placed on graves that impedes maintenance of the area, this includes:

- Bulbs, plants, shrubs, trees
- Ornaments of any nature or material

Due to health and safety considerations containers for flowers and plants must not be of easily breakable materials. "Easily breakable materials" are construed as glass, china, ceramic, terracotta etc. When assessing the potential breakability of items, the Council will always take a more cautious approach and accepts no responsibility whatsoever for any loss or damage. All items removed by the Council will temporarily be placed under the notice board for collection within 28 days. Thereafter Council reserves the right to remove and dispose of such items without prior notice. This will include items that could be projected or cause damage to mowing equipment such as pebbles, stones, grit, shells, etc.

40. Wreaths and Flowers

The Council has the right to remove and dispose of any floral tributes, flowers, plants, etc. that have withered or died or have become unsightly on any grave space.

Christmas wreaths not removed on or before the 31st January will normally be removed by the Council.

MEMORIAL BENCHES

41. Purchase and Siting of Benches

All memorial benches installed from 2018 must be supplied by the Council and will only be permitted in positions agreed with the Council. Memorial benches installed shall be donated to the cemetery and cease to become the purchaser's property. Benches are available for all cemetery visitors to use so do not serve individual graves.

At the end of the 10-year period, the approximate lifespan of a bench, subject to its condition the Council may remove the bench without prior notification.

Benches must be kept clear of all items, to allow any cemetery visitor to sit on them.

42. Commemorative Bench Plaques

Commemorative plaques will be allowed for a period of 10 years following the date of installation. The charge for this service is shown in the cemetery fees and charges. Commemorative plaques may be renewed by application.

CONDUCT

43. Demonstrations.

No demonstrations of any kind shall be held within the Burial Ground or any religious service other than the service at the time of the funeral.

44. Visitors to keep to paths.

Persons not actually attendant upon a funeral, or visiting a grave, shall confine themselves to the walks of the Burial Ground, and no unauthorised person shall touch or interfere with any flower, plant, tree or shrub, or any monument or memorial of any nature whatsoever within the Burial Ground.

45. Burial Ground Workmen – Obstructions, etc



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No person shall wilfully impede, obstruct, disturb or interrupt any officer or workman of the Council in the proper discharge of his/her duties, and shall not employ them to execute any private work whatsoever within the Burial Ground.

46. Wilful Damage, etc

Every person who shall wilfully destroy or injure any building, wall, or fence belonging to the Burial Ground, or destroy or injure any tree, or plant therein; or who shall daub or disfigure any wall thereof; or put any bill therein or on any wall thereof; or wilfully destroy, injure or deface any monument, tablet, inscription or gravestone, or do any other wilful damage; or who shall play at any game or sport, or discharge firearms, (save at a military funeral); or wilfully or unlawfully disturb any persons assembled for the purpose of burying a body; or who shall commit any nuisance within the Burial Ground, will be liable to prosecution for every such offence.

47. Disorderly Conduct.

The Registrar or other officer in charge may at any time exclude from the Burial Ground any person who conducts him/her self in a noisy, disorderly, or unseemly manner, or who is intoxicated, or uses improper language, or who trespasses upon or refuses to leave any portion of the grounds or enclosures when called upon to do so. No person may enter or leave the grounds except by the proper entrance gates.

48. Extent of Rules and Regulations.

The Council reserve themselves the right, from time to time, to make any alterations in the foregoing Rules and Regulations.

The Regulations of the Secretary of State, under the Burials Act, are applicable to the Burial Ground, and must be considered as incorporated herewith.