

# Shipston Town Council

THE BURIAL AUTHORITY



**Rules and Regulations**

January 2019 – updated & agreed



**NOTES:** Those using the cemetery must comply with the rules, it is important that you read thoroughly. You are accepting the terms listed when applying for burials, memorials and other services at Shipston Cemetery.

**DEFINITIONS:**

1. The following words and expressions shall have the meanings hereinafter respectively assigned to them:-

“The Council” or “the Authority” means Shipston on Stour Town Council.

“The Cemetery” means the cemetery provided by the said council, situated on London Road.

“The Owner” means the person or persons owning the exclusive right to burial or deed of the grave.

“Grave” means a burial place formed in the ground by excavation having earthen sides and being without artificial lining of brickwork, masonry or other materials.

“Vault” means a grave the earthen sides of which have been lined by walls in brickwork, masonry or other materials.

“Grave Ornament” means an ornament specially designed for placing on a grave and not being designed and intended only as a container for cut flowers.

“Town Clerk” means the Town Clerk of the Council, whose office is situated at New Clark House, West Street, Shipston on Stour, CV36 4HD Tel: 01608 662180; email: [clerk@shipstononline.org](mailto:clerk@shipstononline.org).

**OPENING TIMES:**

2. The Town Clerk’s Office: 9.00 am – 1.00 pm Monday to Friday  
  
The Cemetery: 8.30 am – 8.30 pm from 1<sup>st</sup> April to 31<sup>st</sup> October  
8.30 am – 4.30 pm from 1<sup>st</sup> November to 31<sup>st</sup> March

The Town Council reserves the right to alter the opening / closing times without prior notice.

In accordance with Health and Safety legislation the Council reserves the right to temporarily close the cemetery to carry out necessary work to ensure public safety.



## **INTERMENTS:**

3. The sites of interments in graves in respect of which an exclusive right of burial has not been granted will be selected by the Town Clerk. Graves may only be reserved, for the bereaved husband, wife or partner of the deceased within one month of the burial. Bereaved partners are encouraged to opt for double depth graves, due to increasingly limited space.
4. Any grant of “exclusive right of burial” in a grave space which is assigned by deed or bequeathed by will must be notified to the Town Clerk by the person to whom the right has been passed, within one year.
5. No burial may take place before 9.00 am or after 4.00 pm without the permission of the Town Clerk. The time appointed must be the time when the funeral is to arrive at the Cemetery, which must be punctually observed.
6. No burial shall take place on Sunday or Bank Holiday.
7. Notice of interment, on the form provided by the Town Clerk, must be given at least 48 hours (excluding Saturdays, Sunday and public holidays) before the interment. 72 hours’ notice must be given of an interment in a walled grave or vault.
8. If the owner of a grave as stated on the Exclusive Right of Burial is deceased, a re-assignment of the Exclusive Right of Burial will be required. Please contact the Town Clerk for further information.
9. On every opening of a grave in respect of which the exclusive right of burial in the grave space has been purchased, the Deed of Grant of Exclusive Right of Burial must be produced to the Town Clerk on giving notice of burial, together with the written consent of the purchaser and where applicable, the person to whom the right has been transferred.
10. All fees and charges are to be paid to “Shipston Town Council;” in the case of an interment, at the time of giving notice, and in all other cases before the work in respect of which they are payable is begun. A receipt for every payment will be given on an authorised form. There is an administration fee for the transfer of deeds.
11. In accordance with Section 1 and 5 of the Births and Deaths Registration Act 1926, the Registrar of Births, Deaths and Marriages certificate for disposal or the Coroner’s order for burial where an inquest has been held, must be given to the Town Clerk at least one working day before the funeral. In the case of a stillborn child a certificate or Coroner’s order is required.
12. All graves and vaults will be prepared by persons approved by the Council, all workmen employed will be required to work under direction of the Town Clerk and to his/her satisfaction. Vaults must be excavated and built at the expense of the purchaser and the surplus soil excavated therefrom shall be removed from the Cemetery unless the Town Clerk directs otherwise, and all the surrounding ground, turf and path, left clear and in proper order on completion.



13. The walls of all vaults shall be not less than nine inches thick of good hard brick in cement mortar, or otherwise constructed to the satisfaction of and with materials approved by the Town Clerk and shall be built up to within 6 inches (15.2 cm) of ground level on the first interment. The uppermost arch or covering stone or slab shall not be within 18 inches (45.7 cm) of ground level. Vaults shall be opened from the top thereof, unless the adjoining ground required for making an entrance thereto is in the same ownership as the vault. On every interment in a vault the coffin must immediately after internment be separately entombed in an airtight manner with a properly cemented stone or other covering at least 4 inches (10 cm) thick approved by the Town Clerk.
14. Not more than one body shall be buried in any grave unless a layer of earth at least 1 foot (30 cm) thick shall be left between each coffin in that grave and the top of every coffin in any grave other than a vault shall be at least 3 feet (91 cm) below the surface of the ground. In the case of vaults there shall be at least 18 inches (45.7 cm) of earth between the uppermost arch of covering stone or slab of the vault and the surface of the ground.
15. Wooden or bio-degradable coffins only shall be used.
16. No coffin shall be buried at a greater depth than six feet six inches without the Town Clerk's special permission.
17. Cremated remains only to be interred in exclusively designated areas.
18. Plaques of bronze (6" x 4" or 15 cm x 10 cm) for scattered ashes can be placed in a position to be determined by the Town Clerk and fixed by Council Contractors only. This facility will only be available on completion of the Tranquillity Garden project.

#### **CARE OF GRAVES**

19. All gravestones and monuments on a purchased grave must be kept in repair by the owner or owners thereof. Any person carrying out work of any kind on a grave shall take such steps as may be necessary to protect the adjoining graves, memorials, grass, trees, plants, paths and all persons from injury.
20. If the exclusive right of burial has been granted in any grave space the grassed surface of such grave will be kept in order and maintained by the Council.
21. The Council will not be responsible for damage to any monument or gravestone through any cause whatsoever.
22. The Authority shall be at liberty to remove from a grave any article which is or has become broken or unsightly and in particular may remove any flowers which have deteriorated. (This includes artificial flowers).



23. No person may plant shrubs or plants on any grave in the Cemetery except with the permission and under the control of the Authority and where permission is granted the Authority may at any time after the grant of permission trim or remove such shrubs or plants if they consider such action is desirable.
24. No artificial boundaries for example any fencing or walls to be installed (this includes wooden fencing).
25. Mounding of graves or the removal of turf from graves or its surroundings will be not be permitted.
26. The Council reserves the right to maintain, repair or remove any item that the Authority considers to be unsafe, unsightly or falls outside permitted installation.

### **MEMORIALS**

27. Except as otherwise permitted by the Authority only one gravestone, monument or permanent grave ornament is permitted on any grave.
28. No gravestone, monument or grave ornament shall be erected or placed on any grave without the prior approval of the Authority.
29. No receptacle or other article for cut flowers other than a vase shall be placed upon any grave without first having been approved by the Authority on the forms provided by the Council.
30. Sketches of every gravestone, monument or grave ornament together with a copy of any inscription shall be submitted to the Town Clerk on the forms provided by the Council. No images are permitted.
31. All gravestones, monuments or grave ornaments being erected or placed on a grave, or where applicable, being re-erected, shall have the appropriate grave number inscribed thereon.
32. Gravestones and monuments or grave ornaments of Caen, Bath or other soft stone or any artificial materials or substance will not be permitted without the prior consent of the Authority.
33. No grave stones / memorial shall be erected by anyone other than an approved stonemason.
34. No hewing or dressing of stones will be permitted within the Cemetery and all materials for graves, vaults, monuments or grave ornaments shall be conveyed into the Cemetery in such a manner, under the direction of the Town Clerk, as will avoid damage to the ground and walks; and all refuse, soil, rubbish and under materials shall be removed in the direction of the Town Clerk.
35. No advertisement shall be put upon any gravestone, monument or grave ornament or on the kerbs of any grave except that the name only of the monumental mason may be inscribed in letters not exceeding ½ inch (13 mm) in height.



36. A foundation base 3 feet x 1 foot 6 inches (91 cm x 45 cm) shall be provided for all headstones to which the headstone shall be securely affixed. All headstones shall be affixed in accordance with BS8415 and the National Association of Memorial Masons recommended Code of Practice.
37. All headstone bases and other bases, landings and under bearings shall be sited and placed into position under the direction of and to the approval of the Town Clerk.
38. The work of erecting and renovating gravestones, monuments and grave ornaments is not permitted on Saturdays or Sundays.
39. All gravestones, monuments and grave ornaments shall be kept in repair by the owner and if not so kept in repair may be repaired or removed by the Council at its direction and at the expense of the owner.
40. In the lawn garden section of the Cemetery only headstones not exceeding 3'3" (99cm) high or 2' (61cm) wide by 15" (38cm) deep and flower vases no exceeding 18" (46cm) high will be allowed.
41. In areas set aside exclusively for the burial of cremated remains, memorial stones are permitted either flat or inclined, of a standard size, 18" x 15", (45cm x 38cm) incorporating, if desired, a receptacle for flowers.
42. The use of wooden crosses is not permitted after one year of the date of burial. After this date the Authority has the right to issue instructions for removal.
43. The Council reserves the right to test memorials for safety and stability as an ongoing programme. Where memorials are identified as being unsafe the Council will take action to remove risk.

#### **GENERAL**

44. Children under 12 years of age will not be admitted to the Cemetery unless under the care of a responsible adult.
45. Dogs are not allowed in the Cemetery.
46. Cycling, skateboarding and the like is not permitted.
47. Private cars are not allowed in the cemetery without prior agreement by the Town Clerk.
48. Any damage caused by vehicles the driver/owner of such a vehicle shall be liable for the cost of its repair or replacement.
49. The playing of radios, music or any musical instruments in the grounds of the Cemetery shall not be allowed without the permission of the Authority.
50. Visitors shall not prevent the Council's staff or contractors from carrying out their duties nor employ them to carry out work within the grounds of the Cemetery.



51. Where the Council remove any item, memorial or any other object to ensure compliance with regulations, the Council will not be responsible for their safe keeping, nor if as a result of their actions any damage occurs to the item removed. The Authority will take every precaution to minimise any damage.
52. No person shall do anything that is likely to cause offence to any other person lawfully using the Cemetery.
53. Current regulations shall supersede all previous regulations made in respect of the Cemetery and apply to all graves.
54. The Council reserves the right from time to time to make any alterations to these regulations which they may deem necessary or expedient.
55. In case of a divergence of opinions, the Town Council's word is final.

#### **OFFENCES AND PENALTIES**

56. By the provision of Article 18 of the Local Authorities Cemeteries Order 1977 it is enacted that:
  - i) No person shall:
    - a. Wilfully create any disturbance
    - b. Commit any nuisance
    - c. Wilfully interfere with any burial taking place
    - d. Wilfully interfere with any grave or vault, any tombstone or any memorial, or any flowers or plants or any such matter.
    - e. Play at any game or sport
  - ii) 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 the Cemetery at any hour when it is closed to the public.
57. Any person who contravenes the above enactments shall be liable to a fine not exceeding £100 and in the case of a continuing offence not exceeding £10 for each day during which the offence continues.

*G.M. Beaumont*

**Town Clerk**  
**Shipston on Stour Town Council**  
**14<sup>th</sup> January 2019**