

CHARTHAM PARISH COUNCIL

RULES AND REGULATIONS

Please note that there is now no **Cemetery Superintendent** in residence.

Please contact the **Parish Clerk** in you require any information concerning the cemetery.

Thank You.

**CHARTHAM CEMETERY
ASHFORD ROAD, CHARTHAM**

Burial Regulations for Chartham Cemetery.

Cemetery Superintendent, Ashford Road, Chartham, Nr Canterbury,
Kent CT4 7NY Telephone: 01227 738211. Fax: 01227 738211

The Cemetery Superintendent is always pleased to advise on any matters concerning the cemetery.

The Parish Council seeks excellence in the provision of all of its services to the public. If you have any complaint about the standard of service in the cemetery, please put your complaint in writing to:-

Chartham Parish Council Clerk
4 Chequers Cottages, Stone Street,
Petham
Canterbury,

Details of current cemetery Superintendence obtained from the
Kent CT4 5PW

All cheques / remittances should be made payable to Chartham Parish Council.

Index

Section:	Subject:	Page
1 & 2	Burial Regulations Interpretation	1
3	Arrangements for interments	1
4	Interments and Funeral Management	2
5, 6 & 7	Interments General – Health and Safety Matters etc	3 - 6
8	Full memorial sections – future management	6
9	Memorials generally	6 - 8
10	Temporary markers	9
11	Exclusive right of burial	9 - 10
12	Purchase of exclusive right of burial in advance of interment	11
13	General rules of management care of graves / placing and removal of flowers / photographs / Guide dogs.	11-12

Adoption and Authorisation of Rules and Regulations

These Chartham Cemetery Rules and Regulations adopted and authorised by resolution of Chartham Parish Council 20th March, 2007.

Chartham Parish Council – Chartham Cemetery

Section 1. Burial Regulations

- 1.1 These regulations shall apply to the Parish Council's cemetery at Ashford Road, Chartham, Nr Canterbury, Kent CT4 7NY that is owned, provided and maintained by the Parish Council and in these regulations is referred to as 'the cemetery'.
- 1.2 In these regulations the following expressions shall have the meanings hereby assigned to them:
 - 'the council' means Chartham Parish Council;
 - 'LACO' means the Local Authorities Cemeteries Order 1977;
 - 'purchased grave' means a grave in respect of which a grant of exclusive right of burial has been granted;
 - 'the Cemetery Superintendent' means the officer appointed by the Parish Council for the management of the cemetery.

Section 2. Opening Hours

- 2.1 The cemetery is open to pedestrians and for disabled access throughout the hours of daylight as follows:-
 - From 1st October to 31st March - 9.00 am. to 4.30 pm.
 - From 1st April to 30th September - 9.00 am. to Sunset.

Section 3. Arrangements for interments

- 3.1 No interment shall take place on Saturdays, Sundays, Christmas Day, Good Friday or Bank Holidays except with the consent of the Cemetery Superintendent who shall give due consideration to the circumstances of the request or; unless it be shown by the production of a medical certificate from the Community Health Physician that the body cannot, on grounds of public health, be kept until the next day permitted for interments.
- 3.2 Prior telephone booking to the Cemetery Superintendent is required for every interment and this must be confirmed in writing on the Notice of Interment which must be delivered to the Cemetery Superintendent, Ashford Road, Chartham, Nr Canterbury, Kent CT4 7NY so that it is received at least two clear working days before the time agreed for the funeral to take place.

3.3 These periods of notice shall exclude Saturdays, Sundays or any public holiday applicable to England and any other days when the Parish Council's offices are closed for the transaction of business.

The cemetery office is open for the receipt of Notices of Interment between the hours of 10.00 am. and 4.00 pm. Monday to Friday, or by appointment with the Cemetery Superintendent.

3.4 Before a burial can take place one of the documents listed below must be delivered to the Cemetery Superintendent at or before the time when the funeral cortège enters the cemetery.

Certificate for Burial or Cremation issued by the Registrar of Births and Deaths;

Coroner's Order for Burial

Registrar of Births and Deaths Certificate of No Liability to Register;

For the burial of a foetus the medical practitioner's Certificate of Delivery of Non-Viable Foetus will be required.

For the interment of cremated remains a Cremation Authority Certificate that the death has been registered is required.

Section 4. Interments and Funeral Management

4.1 Except where the person to be buried is the last person registered as the owner of the exclusive right of burial:

(a) Where a purchased grave is to be re-opened the Deed of Grant of Exclusive Right of Burial shall be produced with the Notice of Interment.

(b) Where the Deed of Grant has been lost the person applying for the grave to be re-opened must sign a form indemnifying the Parish Council against any possible liability claims or action.

(c) Subject always to (a) above the owner of the purchased grave shall give consent to the grave being opened by signature on the Notice of Interment.

4.2 A grave may only be reopened for (a) burial or (b) exhumation provided that all necessary consents have been obtained.

4.3 Except for unavoidable cases, the time notified to and accepted by the Parish Council for interment must be punctually observed; otherwise the interment may be postponed until after other funerals have taken place.

An additional fee may be charged for any funeral arriving after the notified time, which will be directly related to any extra costs, which may be incurred as a result of the late arrival.

Whilst the Parish Council will give sympathetic consideration to the circumstances for the late arrival, it can only do so in relation to any increased time and expense incurred by directly employed Parish Council officers.

Any additional claims for costs made by the Parish Council's contractor will have to be met in full. No burial may take place before 10.00 am. or after 4.00 pm. during winter, extended to after 4.30 pm during the summer. The Cemetery Superintendent shall have discretion to vary these times with the agreement of the Parish Council.

Sections 5, 6 & 7. Interments General / Health and Safety / Other Matters

5.1 All funerals must be under the overall control of the Cemetery Superintendent. The funeral director has responsibilities under the Health and Safety at Work Act 1974 and any other current health and safety legislation for the funeral director's staff and the cortège.

5.2 The selection of grave spaces shall be at the discretion of the Cemetery Superintendent and all grave spaces shall be excavated in rotation and no person shall have the right to select a grave. The Parish Council may grant the right of selection to individuals from time to time and fix fees therefor.

5.3 The Parish Council will provide an area within the cemetery where exclusive rights of burial may not be purchased. The Parish Council will maintain the area and may plant shrubs, trees, and turf to enhance the environment as it feels appropriate.

Within this area:

(a) The Parish Council may authorise interments of the bodies of unrelated people within the same grave space;

(b) there will be no specified time limits between interments;

(c) memorials may not be erected on any grave.

6.1 Graves shall only be excavated and opened by contractors in the employ of the Undertaker. Where there is no other space available the Parish Council permits undertakers to erect timbers and staging over existing graves and place soil from the excavation of a grave upon any adjoining grave without notice to grave owners. The Undertaker will reinstate the surface of any grave so used as soon as possible

6.2 Subject to the discretion of the Cemetery Superintendent a body should always be received for interment in a properly made and secured wooden or biodegradable coffin. The names and age or date of death of the deceased must be shown on a plate fixed to the lid of the coffin.

Details of any special type of coffin or container must be advised to and approved by the Cemetery Superintendent at the time when the initial telephoned booking is made to confirm its acceptability. The opening of any coffin or other container is not permitted within the grounds of the cemetery except at the discretion of the Cemetery Superintendent. The containers of cremated remains may be opened for the purposes of interment.

A coffin or other container may only contain one body except in the case of a parent and baby or babies. In such case the Funeral Director must deliver with the Certificate for Burial a statement signed by him certifying that the coffin or other container contains two (or more) bodies and give their full names

The Funeral Director shall inform the Cemetery Superintendent if the body is that of a person who has died from a notifiable disease and such precautions as may be required to be taken within the cemetery must be complied with.

6.3 No new vaults or bricked graves are permitted in the cemetery.

6.4 Subject always to regulation 7.2:

6.4.1 All new graves with the exception of infant's half graves will be dug to a maximum depth dependent upon available methods of excavation, prevailing soil and weather conditions, and subject always to the discretion of the Cemetery Superintendent.

6.4.2 Re-opened graves will be dug to the maximum remaining available depth.

7.1 The removal of any monument, headstone, vase or similar structures from a purchased grave to permit the interment shall be carried out to the order and at the expense and risk of the person requiring the burial in good and sufficient time for the grave to be opened by the council and replaced by and at the expense and risk of that person as soon as practicable after the interment. The complete memorial including landings and foundations must be set to one side on unused ground during the time when the grave is settling after the interment. Where it is necessary to dismantle a memorial to permit an interment then the complete memorial shall either be:

(a) removed from the cemetery;

(b) taken by the memorial mason to a designated place set aside and agreed by the Cemetery Superintendent, for a period of no more than six months or until such time as the soil in the grave is once more sufficiently stable to support the memorial, whichever may be the shorter. The Parish Council accepts no responsibility for the memorial during its time set aside.

No part of any dismantled memorial shall be placed or stored in any other part of the cemetery.

7.2 No coffin shall be placed in any grave so shallow that the depth of cover between the top of the coffin and the surface of the surrounding grave is less than 91cm (3').

A grave for one adult shall not be less than 1.37 metres (4'6") deep;

A grave for two adults shall not be less than 2 metres (6'6") deep;

There shall be not more than 2 interments of cremated remains in a purchased half-grave space, and not more than 4 interments of cremated remains in a full-size grave space. This also applies where there are 2 coffins already buried in a double depth grave.

A coffin shall not be buried subsequently in a grave space where cremated remains have already been interred.

7.3 After an interment has taken place the Parish Council will regularly fill the grave up to the level of the surrounding ground. During this period nothing should be planted in the grave and no vases, jars

bottles or glass containers should be placed as this would impede the work of refilling the grave. One unlettered temporary vase of metal or stone may be placed on the grave for up to a period of six months following the most recent interment.

7.4 The Parish Council accepts no liability for any such vase placed on the grave.

7.5 The surface of every grave shall be flush with the contours of the surrounding ground and turf mounding of graves is not permitted.

7.6 The scattering of cremated remains over graves is not permitted. Cremated remains may only be interred in the cemetery in containers of wood or metal and approved by the Cemetery Superintendent. Containers made from plastics or other non-biodegradable materials are prohibited.

Note: Schedule 2 to LACO contains provisions relating to interments, which must be complied with.

Section 8. Full memorial sections – future management

8.1 The Parish Council may take specialist advice when considering the suitability of any memorial to be placed in the full memorial section of the cemetery and the cost of this advice must be paid by the person applying for permission to place the memorial in the cemetery.

The Parish Council may reject any application.

If the Parish Council gives approval to any application the memorial must not be taken into the cemetery until the Parish Council's approval in writing has been delivered to the applicant.

Section 9. Memorials generally

9.1 The construction and the material from which any memorial is made should be sound and durable and must not affect any other memorial in the cemetery.

9.2 The fixing on site, method of construction and quality of materials of every stone material shall be in accordance with the relevant Code of Working Practice of the National Association of Memorial Masons.

9.3 Before any memorial is placed in the cemetery a drawing showing the dimensions, integral doweling of all components, ground anchoring method, type of material and finish and the inscription and type of lettering to be inscribed on the memorial shall be submitted to the Cemetery Superintendent at least two months prior to the intended fixing in the cemetery.

9.4 The memorial to which the application relates shall not be taken into the cemetery until the Parish Council has issued a written permit and the fees have been paid to the Parish Council at its office.

9.5 Memorials are not allowed on unpurchased graves.

9.6 The approval will indicate a date after which the memorial may be erected. Monumental Masons should satisfy themselves as to the stability of the soil and its ability to support a memorial before the memorial is erected.

9.7 Every memorial shall be placed on the grave space so that the centre of the memorial shall be in line with the centre head position of the grave, and in line with adjacent memorials.

9.8 There shall be no advertisement or trademark on the memorial except the name of the Memorial Mason who has supplied it which shall be inscribed on the side or on the reverse of the headstone as appropriate to suit the alignment of the grave, and in lettering similar to the main inscription and not more than 15mm (½ inch) high. The section letter and number must be positioned and inscribed in this manner on **all** memorials to be installed in the cemetery.

On kerbstones the position for a memorial mason's name and section letters and grave number shall be on the left hand and right hand side of the foot kerbs.

9.9 Work people and materials will only be admitted to the cemetery between 8.00 am and 5.00 pm on Mondays to Fridays, unless agreed otherwise with the Cemetery Superintendent.

They will not be admitted on Saturdays, Sundays, Christmas Day or on any other day when the cemetery is closed to the public unless it is necessary to:

- (a) remove or repair a danger or potential danger; or
- (b) remove a memorial for an urgent burial.

- 9.10** Works of every description on graves or memorials shall be completed as quickly as possible to the satisfaction of the Cemetery Superintendent or other duly authorised officer of the Parish Council.
- 9.11** All memorials or other materials for any memorial or grave shall be taken into the cemetery, where practicable, by a light motor vehicle to a maximum laden weight of 3.5 tonnes along the main roads in the cemetery in such a manner as the Cemetery Superintendent may direct. Any such vehicle is to be removed from the cemetery immediately on request from the Cemetery Superintendent. Any damage which may be caused to the grounds, walls, trees, buildings or memorials or any other part of the cemetery shall be repaired by and at the expense of the person responsible for carrying any such materials.
- 9.12** The supplier and fixer of any memorial to be erected in the cemetery must be on the British Register of Accredited Memorial Masons and must maintain a policy of Public Liability Insurance in the minimum sum of five million pounds indemnifying against all claims and actions for accident, materials and workmanship resulting from the memorial being placed in the cemetery.

The Parish Council will not be responsible for any damage to monuments, gravestones or other structures other than damage shown to be due to the negligence of its employees, agents, servants, or work people.

- 9.13** No person shall manufacture any memorial in the cemetery. Only work to clean, repair or letter is permitted upon permission being obtained from the Cemetery Superintendent.
- 9.14** All memorials erected within the cemetery shall be kept in good repair by and at the expense of the owner. The Parish Council reserve the right to mark with hazard tape and /or repair or make safe any memorial which is allowed to fall into disrepair or become unsightly or dangerous and, if deemed practicable, recover expenses thus incurred from the owner or the owner's beneficiaries.

- 9.15** The Parish Council may require the owner of any monument, gravestone, or other structure which in their opinion has become unsafe to remove it from the cemetery at the owner's expense. The person who makes the application for permission to erect and maintain a memorial on the grave shall authorise the Parish Council to take this action in the application

If this is not possible the memorial will be laid down under Health and Safety guidelines to prevent any danger to the general public under the LACO 1977 Order 'Affecting Dangerous Memorials'.

- 9.16** 9.16 If the owner fails to comply with any such requirement within 14 days or if in the opinion of the Cemetery Superintendent the removal should be effected immediately then the Parish Council may carry out the work without incurring any liability for any damage arising and the costs of doing this shall be recoverable from the owner as a simple contract debt in any court of competent jurisdiction.
- 9.17** Soliciting for orders within the cemetery for the erection or repair of any monument, headstone, or other structure, or for any other work connected with graves, is strictly prohibited. The Parish Council reserve the right to exclude from the cemetery any person or company or firm on whose behalf any person has been found so soliciting.
- 9.18** The contractors, employees, servants, and officers of the Parish Council are not permitted to take any gratuity or to carry out privately any work of any kind in connection with the cemetery.

Section 10. Temporary markers /Wooden Crosses

- 10.1** The Parish Council does not provide temporary markers of any kind.
- 10.2** Temporary wooden crosses not exceeding 91cm high x 61cm wide (3' x 2') are only permitted at the discretion of, and by application to, the Parish Council until the placing of a headstone, permanent vase or memorial or the expiration of a period of one year from the date of the last interment, whichever shall first occur.

Section 11. Exclusive right of burial

- 11.1** The Parish Council may grant the exclusive right of burial in an individual grave space for a period of 50 years from the date of the grant upon payment of the prescribed fee.

- 11.2 At or before the end of the fifty year period the exclusive right to burial may be renewed by the then owner of the right. A renewal fee will be payable and the new grant will be subject to the burial regulations then in force.
- 11.3 The Parish Council reserve the right, which shall be exercised only with the utmost sensitivity and discretion, to permit further burials in the available space remaining in a grave in respect of which the exclusive right of burial has expired, with the agreement of the persons arranging an interment, notwithstanding the body to be buried therein is not connected in any way with the previous interment.
- 11.4 A grant of exclusive right of burial will not be issued in the name of a funeral director; memorial mason; partner or shareholder in such a firm unless written evidence satisfactory to the Parish Council is submitted to show that the grave is required for use by the applicant as a private individual and not for the purpose of the firm or for the use of another person.
- 11.5 The Parish Council reserves the right to decide whether or not a right of burial in Chartham Cemetery exists by virtue of residence in the parish; parental residence, or by being temporarily outside the parish, at the time of death.
- 11.6 No person with the exception of the designated head of any religious house will be allowed to hold at any one time the exclusive right of burial in more than two graves except with the special consent of the Parish Council. A double width grave will, for this purpose, be regarded as a single grave.
- 11.7 The owner of the exclusive right of burial in a particular grave space shall have the privilege of transferring the right of burial therein to any other member of his/her family.
- 11.8 Written notice of any proposed transfer or assignment of an exclusive right of burial must be submitted to the Parish Council within 28 days of the assignment together with the deed document.
- 11.9 The Parish Council will not recognise any assignment whether by deed or otherwise of an exclusive right of burial without proof of such assignment except where the owner of the right is the person to be buried and in any event, will not recognise the assignment if it has not previously been submitted to the Parish Council for registration

Section 12. Purchase of exclusive right of burial in advance of interment

- 12.1 The Parish Council operates a grave reservation system. The exclusive right of burial may be purchased in advance of an interment which effectively reserves that grave for fifty years. It should be noted that at the time of grant the Parish Council may not be aware that the space is unsuitable because of soil conditions, positions of tree roots or other matters.

The Parish Council give no undertaking that at the time of interment the grave space will be suitable to permit grave excavation.

In cases where the grave space is unsuitable an alternative grave will be prepared and the exclusive right of burial assigned to the purchaser without additional fee. The exclusive right of burial in the original grave space must then be surrendered to the Parish Council.

Section 13. General rules of management

- 13.1 Children under twelve years of age will not be admitted to the cemetery unless they are in the charge of a responsible adult.
- 13.2 Where an interment or religious service is taking place anyone involved in any work or activity which may interrupt or cause offence to any person at the service shall comply with all instructions given by the Cemetery Superintendent.
- 13.3 Visitors to the cemetery shall not pick, cut, fell or remove from the cemetery any flower, tree or shrub, nor sit on any memorial, monument, headstone or structure other than a seat provided for the purpose.
- 13.4 Floral displays of cut flowers shall not be placed in glass containers.
- 13.5 Large bushes (being over 2' high) and trees are not permitted on any grave space whether or not it has a memorial in place or has been grassed over.
- 13.6 The Parish Council does not recommend the use of artificial flowers and plants in the cemetery and any such decoration is left at the owner's risk.
- 13.7 Concrete edging or wooden tiles, hedges, plastic or wire fencing is not permitted on any grave space and will be removed by the Cemetery Superintendent as directed by the Parish Council.

- 13.7** All dead flowers, artificial flowers, wreaths, weeds, rubbish and other decorations which have become unsightly shall be removed from graves and disposed of at the places provided for the purpose. The Cemetery Superintendent is authorised to remove flowers, artificial flowers, plants, wreaths or decorations that have become unsightly and the Cemetery Superintendent's decision in this matter shall be final.
- 3.8** All planting and cultivation shall be subject to the approval of the Cemetery Superintendent and the Parish Council reserves the right to prune, cut down or dig up and remove any flowers, shrub or plant at any time when, in the opinion of the Cemetery Superintendent, it has become unsightly or overgrown, or where necessary for the purpose of allowing the grave or adjacent graves to be used again. No memorial tree may be planted without the written permission of the Parish Council.
- 13.9** Permission must be obtained from the Cemetery Superintendent and Parish Council before any photographs intended for publication may be taken of or within the cemetery.
- An application for permission shall be accompanied by written confirmation from the owner of the exclusive right of burial in any grave to be photo-graphed, that the photograph is being taken with their approval.
- 13.10** All persons admitted into the cemetery shall conform to these regulations and the Cemetery Superintendent or other duly authorised officer of the Parish Council may remove from the cemetery any person infringing any regulation or otherwise misconducting themselves. The Parish Council reserves the right to refuse admission to the cemetery.
- 13.11** All dogs including a guide dog guiding a blind or disabled person, must be kept under control whilst in the cemetery or in the car park.
- 13.12** The Parish Council is committed to ensuring that only the highest quality standard of service is provided. Any complaint about the quality of service should be made in writing to the Parish Clerk.
- 13.13** The Parish Council reserves the right to alter or add to these regulations.
- 13.14** It should be noted that in all matters of day to day administration of the cemetery and the general interpretation of these regulations any decision of the Cemetery Superintendent shall be final.