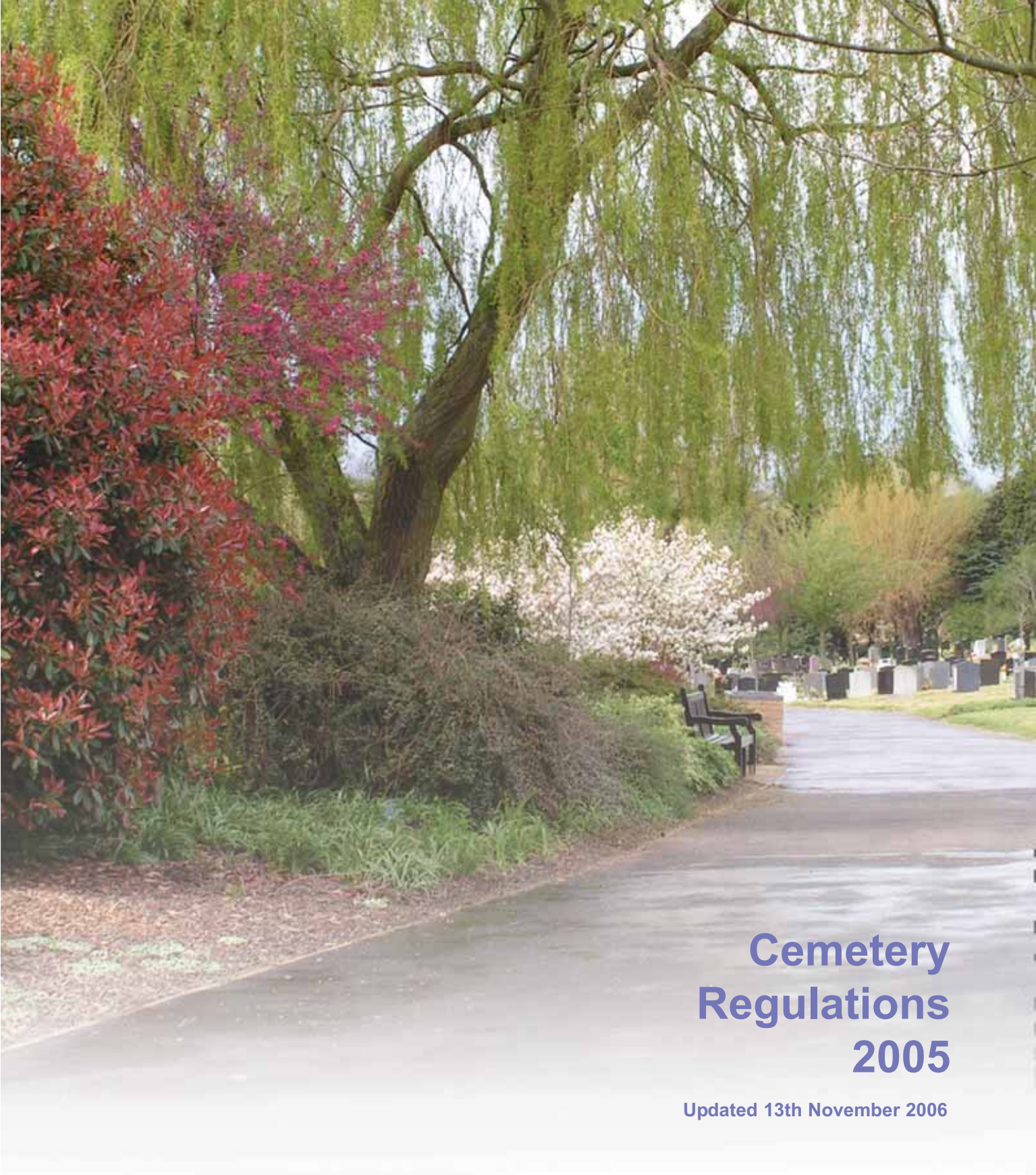


Rugby Borough Council strives to ensure that all people regardless of ethnic origin or disability can access its services. Please ask the Council reception desk or call (01788) 533533 or visit www.rugby.gov.uk



Email: talkinthepark@rugby.gov.uk
Telephone: (01788) 533715
Fax: (01788) 533718



Cemetery Regulations 2005

Updated 13th November 2006

Rugby Borough Council
www.rugby.gov.uk



Definition of Terms

Cemetery	The council provides cemeteries at <ul style="list-style-type: none">• Clifton Road• Croop Hill• Watts Lane• Whinfield
Council	Rugby Borough Council
Interment	Burial of a body or the cremated remains of a body
Staff	Duly authorised officers of the council

Powers of Management and Control

Rugby Borough Council has broad legal powers to manage its cemeteries in what it considers to be the best manner. These powers are currently contained within the Local Authorities' Cemeteries Order 1977. The Council will review these Regulations from time to time to ensure that they reflect current legislation and best practice in cemetery management.

Breaches of Regulations

All visitors to the cemeteries shall conform to the cemetery regulations and shall be subject to the control and direction of staff on site.

No person shall:

- wilfully create any disturbance in any of the cemeteries
- commit any nuisance in any of the cemeteries
- wilfully interfere with any burial taking place in any of the cemeteries willfully interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants or any such matter; or
- play at any game or sport within any of the cemeteries
- wilfully damage any fixtures within any of the cemeteries including any building, wall or fence belonging to the council.
- solicit for any business in any of the cemeteries.
- pay any gratuity to any employee

The Council will not tolerate any insulting, threatening, abusive or anti-social behaviour towards any of its staff.

Access to the Cemeteries

Opening Times

The cemeteries are open to the public on every day of the year. The council does not currently close the access gates.

Vehicles

Vehicles must be:

- confined to the car park where provided, or the main cemetery roads
- driven and parked with due consideration for other cemetery users
- driven at no more than 10 mph.

Dogs

Dogs must be kept on a lead at all times.

The cemeteries are designated land for the purposes of the Dogs (Fouling of Land) Act 1996. This means that failure to clear up after your dog may lead to prosecution under the Act.

The grave number must be cut into the stone in a prominent position on of the memorial.

The Council may take down and remove any monument placed in the cemetery, and/or remove any inscription on a monument, which contravenes these regulations.

All memorials must be fixed in accordance with the current Code of Practice published by the National Association of Memorial Masons.

Memorials may only be erected by memorial masons registered with the Rugby Council Memorial Mason Registration Scheme. Application to join this scheme may be made by contacting staff at the address given above.

Responsibility for loss or damage

The Council will not be responsible for any damage to or loss of any private property whatsoever resulting from any cause arising otherwise than from the direct consequences of the negligence of its employees.

The council recommends that owners of exclusive rights insure their memorials against loss or damage.

Fees and Charges

The council reserves the right to set and amend from time to time fees and charges for its cemeteries service.

Addendum: 13th November 2006 - The Council amended the Cemetery Regulations to permit different types and sizes of monuments at the Cemetery Officer's discretion.

The council reserves the right to prune, cut down or dig up and remove any plant which may be planted without prior approval on a burial place in contravention of these regulations or which is considered to have become unsightly or overgrown.

Memorials

A temporary wooden cross or similar temporary marker may be placed on a grave for a period of 12 months following an interment. Once a memorial is erected the cross must be removed.

No memorial may be placed in the cemeteries, altered or removed from the cemeteries without the prior written permission of council staff.

Except in the Cloverleaf Memorial Garden, a memorial may only be placed on a grave that is subject to an exclusive right of burial.

Application for permission to carry out memorial work shall be made on the council's form and shall contain full details of the proposed work. The application shall be submitted to the council at least one month prior to the intended date of completion of the work.

In the case of a new memorial, the application shall contain:

- a drawing of the memorial
- its dimensions, materials and colour
- the method of fixing
- the wording of any inscription

The owner of the exclusive rights is responsible for the temporary removal and storage of a memorial while a grave is re-opened for an interment and for the safe re-erection or replacement of the memorial.

Memorial Specification

Lawn sections

The maximum permitted dimensions of a lawn memorial are:

Description	Metric	Imperial
Height	165 cm	5ft 6ins
Width	75 cm	3ft
Depth	45 cm	1ft 6ins

Traditional sections

The maximum permitted dimensions of a traditional memorial are:

Description	Metric	Imperial
Headstone		
Height	165 cm	5ft 6ins
Width	75 cm	3ft
Depth	45 cm	1ft 6ins

Arrangements for Funerals

No burial may take place or interment of cremated remains without the prior permission of the council. Sufficient notice of an intended interment must be given to the council. The minimum length of notice shall be

Type of interment	Minimum Notice
Standard grave	48 hours, excluding Saturdays, Sundays and Public Holidays
Walled grave or vault	72 hours, excluding Saturdays, Sundays and Public Holidays
Muslim	24 hours, excluding Saturdays, Sundays and Public Holidays

Arrangements for a funeral must be made, in the first instance, by telephone. Confirmation on funeral booking form must follow the telephone booking. Full written details of all the arrangements must be given on the Notice of Interment to the staff at the address overleaf:-

Leisure Services Division

(Parks & Cemeteries Section),
 Technical Services Department,
 Town Hall,
 RUGBY
 CV21 2RR
 Telephone No: 01788 533715
 Fax No: 01788 533718

This office is open from 9.00 am to 5.00pm Monday to Friday excluding Public Holidays for funeral bookings and enquiries.

In addition to the Notice of Interment, one of the following certificates will also be required to be delivered to the staff prior to the interment:

Certificate	Issued by
Certificate for Burial (Parts B & C)	Registrar of Births, Deaths and Marriages
Certificate for Burial (Stillbirth)	Registrar of Births, Deaths and Marriages
Certificate the death is not required to be registered (Parts B & C)	Registrar of Births, Deaths and Marriages
Order for Burial(Parts B & C)	Coroner
Medical Certificate (Non viable fetus))	Medical Practitioner
Medical Certificate (Body parts removed at autopsy)	Medical Practitioner
Cremation Certificate	Crematorium

Permitted funeral times

Type of Interment	Permitted days	Permitted times
Standard	Monday to Friday	9.30am to 3.00pm inclusive
Muslim	Monday to Friday	9.30am to 3.00pm inclusive
	Saturday	12.00 noon to 1.30pm inclusive

No funerals are permitted outside the above times or on Sundays and Public Holidays.

A minimum of two hours is required between funerals, with an additional half an hour added for graveside service or use of cemetery chapel.

Types of Grave

Type of grave	Description
Purchased	<p>Upon payment of the relevant fee, the council may grant to any person the exclusive rights to a grave. No individual may reserve more than 5 graves.</p> <p>This means that the owner of the exclusive rights has the right to decide:</p> <ul style="list-style-type: none"> • who may be interred in the grave • the type of memorial • the inscription on the memorial <p>These rights are subject to the council's regulations</p>
Unpurchased	<p>The council retains the right to decide who may be buried in the grave. Memorials are not permitted on unpurchased graves.</p>

The council grants exclusive rights for a 50 year period. The period may be extended for a period of 10 years upon payment of the appropriate fee.

The council will record in its cemetery registers the name and address of the person who has purchased the exclusive rights. Interments and memorials will only be permitted on a grave with the written consent of the registered owner of the exclusive rights, except in the case of their own interment.

The ownership of exclusive rights is an important legal matter. Ownership of exclusive rights may only be transferred in one of the following ways:

Circumstances	Method of transfer
Registered owner alive	Form of Assignment
Registered owner deceased: either Grant of Probate issued, or Grant of Letters of Administration issued	New owner registered upon production of a sealed copy of the grant of representation
Registered owner deceased: neither Grant of Probate issued, nor Grant of Letters of Administration issued	Applicant for ownership completes a Statutory Declaration, which is witnessed by a Commissioner for Oaths or a Magistrate. This declaration requires evidence of kinship and the consent of any kin of the same degree

Place and Method of Interment

The excavation of all graves shall only be carried out by an employee or officer of the Council.

Unless the interment is to take place in a grave for which an exclusive right of burial exists, the location of the burial will be determined by council staff.

Only coffins or caskets made of wood, woven willow, bamboo, wicker, naturally hardened 100% recycled paper or cardboard may be used in earth graves. Metal coffins or caskets may be used in walled graves or vaults. All coffins must be provided with handles.

Shrouds may only be used in place of coffins in designated areas.

Walled graves or vaults

Every walled grave or vault shall be properly constructed of suitable materials to a specification agreed with council staff.

Within 24 hours of any burial in a walled grave or vault, the coffin shall be either:

- embedded in concrete and covered with a layer of concrete not less than six inches or 15 cm thick; or
- enclosed in a separate cell or compartment of brick, slate stone flagging or pre-cast concrete slabs of a 1:2:4 mix, in any case not less than two inches thick, in such a manner as to prevent, as far as may be practicable, the escape of any noxious gas from the interior of the cell or compartment

Maintenance of graves

The council will maintain all graves as part of its general management of the cemeteries.

Graves are located in either Lawn or Traditional sections and the regulations vary between these.

Type of Section	Regulations
Lawn	The surface of every grave will be turfed and maintained at ground level. The council will provide a headstone border for the erection of an approved memorial subject to the specification below. The planting of trees and shrubs, the erection of fences, railings or ornaments and the placing of kerbs on and around graves is not permitted.
Traditional	Approved kerbed memorials are permitted, subject to the specification below.