

Cemetery Policy



CHORLEY COUNCIL CEMETERY POLICY

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CHORLEY COUNCIL CEMETERY POLICY

1. INTRODUCTION

This policy contains the rules and regulations which the council has in place in order to successfully manage the council cemeteries and the memorials which may be placed in the cemeteries. It has been written in line with government legislation and guidance.

2. BACKGROUND

The cemeteries are managed in accordance with the Local Government Act 1972 and the Local Authorities' Cemeteries Order 1977 under which burial authorities are responsible for maintaining statutory burial registers and grave plans, establishing rules and regulations relating to the management of the cemeteries and the memorials permitted within them and setting fees for burials and memorials.

Management of the cemeteries is also subject to all other relevant legislation or regulations issued with regard to interments in burial grounds or cemeteries.

The cemeteries covered by this policy are Chorley Cemetery and Adlington Cemetery. Both of the cemeteries are lawn cemeteries and are divided into Established Church, Roman Catholic and Dissenter or Non-conformist sections. Chorley Cemetery also has a Garden of Remembrance, a baby section, a family ashes section and a Muslim section.

The policy applies to burials and to the burial or scattering of cremated remains in the cemeteries.

Chorley Council may make alterations or additions to this policy and the fees and charges.

The instructions of the council should be followed at all times.

The policy has been agreed by the council's Executive Cabinet and will be reviewed as required in response to changes in legislation or other guidance.

3. PURPOSE

The policy will allow the council to successfully manage the cemeteries and burials and ensure this is done in accordance with the law.

4. CEMETERY RECORDS

All the statutory burial and cremation records for the cemeteries are held at the council's Union Street offices. A map will be made available to help in locating a grave. The council does not carry out family history searches.

5. GRAVES

Purchasing a private (purchased) grave space (burial rights)

A Grant of Exclusive Right of Burial can be purchased at the time an interment takes place or in advance to reserve a grave space for the future.

When a grave is purchased this refers to the purchase of the Exclusive Right of Burial in the grave space and not the purchase of the land itself. This means that you do not own the land but have the exclusive right to say who can be buried in the grave.

The council will issue a Deed of Grant to the person purchasing a private grave space and register them as the owner.

The burial rights can be purchased for up to three interments and a fee paid on initial purchase. The number of interments will be indicated on the Deed.

The council currently grants burial rights for a period of 100 years.

Memorials and headstones are only permitted on private graves and only with the council's prior permission.

Transfer of ownership

The transfer of a Grant of Exclusive Right of Burial is a legal process and each transfer must be looked at individually. Contact the council for more information.

Once the grave owner has been interred within the grave it is advised that the ownership is transferred. No further burials, interments, new memorials or changes to memorials will be allowed until ownership has been transferred. The new owner must demonstrate ownership of the grave by producing a will, grant of probate, letters of administration or a Statutory Declaration witnessed by an authorised court official, a Commissioner of Oaths, a magistrate or solicitor to prove that they are next of kin. A fee should also be paid. If the ownership is not transferred on the death of the owner, the grave will be considered to be closed.

Selection of a private (purchased) grave space

Any selection of a grave space needs to be approved by the council and consistent with the plan of the cemetery. Burials are only allowed in designated areas. Arrangements can be made to meet a member of staff to select a grave space.

Opening a private grave space

Only the owner of the Exclusive Rights of Burial or their personal representative can authorise the reopening of the grave space. This authorisation must be received in writing. The Deed of Grant should also be produced when an interment takes place.

Where this is not reasonably possible, any person whom the council considers to be entitled to request that the grave may be opened may do so by making a statutory declaration and giving indemnity to the council.

Non-purchased grave

The ownership of the Exclusive Right of Burial in non-purchased graves remains with the council. More than one interment may take place in the grave which may be of persons who are unrelated.

No memorials are permitted on unpurchased grave spaces.

Upkeep of private grave spaces

All private graves and memorials should be kept in good repair by the owner. The council is not responsible for any damage caused to a private grave space.

Items may be placed in the grave space up to a half a metre away from the headstone. No item may be placed beyond this. This includes the planting or placing of shrubs or plants, vases, crosses, pictures, kerbing or any other item that may denote the grave boundary or restrict the maintenance of the area. Any such item may be removed without notice.

The council may remove any material or inscription which is deemed to be outside of this policy or may have fallen into disrepair. This includes lighting.

Fresh floral arrangements will be removed from all graves two weeks after the funeral.

6. GARDEN OF REMEMBRANCE

The Garden of Remembrance is an area set aside solely for the interment of cremated remains.

No headstones or any other item may be placed on the grave to mark the location of the ashes and may be removed without notice. Any removed items will be stored for two months and then disposed of.

There is a paved area which contains a Columbaria planter where memorial plaques can be placed in memory of loved ones. Floral tributes may be placed around the base. The plaque will be placed on the planter for an initial period of 10 years with the option to renew for further periods.

7. FAMILY ASHES SECTION

The Garden of Remembrance also includes a family ashes area. Each plot is able to hold up to 4 caskets of ashes.

A small memorial may be erected with the council's prior permission. Any other items may be removed without notice. Permitted sizes of headstones are included in Section 16 of this document.

8. BABY SECTION

The baby section is set aside for infants aged 1 year or under.

A small tablet may be erected with the council's prior permission. A small black marble or granite tablet measuring up to 300mm by 300mm may be placed level with the surrounding turf and one small flower vase can be placed at the head of the grave.

Fresh floral arrangements will be removed from all graves two weeks after the funeral.

9. BURIALS

Hours of burials

Interments can take place between the following hours:

Monday to Friday 9.00am to 2.30pm

Burials may also take place at weekends and on bank holidays subject to availability of staff and for which there will be an additional charge.

The appointed times for funerals must be strictly observed to prevent inconvenience to other funerals. Any funeral arriving at a time other than that appointed, must act under the council's directions. Late arrivals may incur additional charges and the funeral may have to be postponed or rearranged.

A burial can take place with or without a religious service. It is the responsibility of the bereaved family or the funeral director to arrange for a Minister or other person authorised to officiate at the burial.

There will be an overseeing council officer present at every funeral.

Notice of interment and Registrar's Certificate

A completed Notice of Interment and the registrar's or coroner's certificate must be received at least two working days before the day the burial is due to take place. The Notice must be signed by the grave owner or their personal representative. The council will not accept responsibility for the accuracy of the details contained in the Notice of Interment.

The council will not accept verbal instructions.

Once this form has been accepted no alteration to the arrangements will be allowed apart from the time of the burial. In this case notice should be given to the council at least 24 hours before the time the burial is due to take place.

10. BURIAL PROCEDURES

Only wooden coffins or caskets can be used unless otherwise authorised by the council. A nameplate should be fixed to each coffin or casket.

Burial excavation procedures

Graves can only be excavated by someone appointed to do so by the council.

Prior to a funeral the grave will be excavated and dressed with artificial matting. The excess soil will be placed on the nearest adjacent area. Space restrictions sometimes mean this may be another grave space. Where this is the case, grave adornments will be removed, the grave covered, and the area reinstated following the burial. The grave owner or the family will be informed wherever possible.

The gravediggers will have a discreet presence at the burial to ensure that everything is in place. Once the mourners have left the graveside the grave will be backfilled using the soil that has been placed nearby.

Grave reinstatement

In the weeks following a burial the soil will compress and the mound will reduce. Once the soil has settled the council will level the grave and apply grass seed.

Number of burials in a grave

A grave space subject to an Exclusive Right of Burial would usually be expected to allow one, two or three interments. The burial of cremated remains is allowed up to a maximum of six within each grave space.

A family ashes plot will hold up to four interments of ashes.

A Garden of Remembrance plot will hold one interment of ashes.

A Baby section plot will hold one interment of ashes.

Occasionally soil or ground conditions may require a reduction in these numbers. The council will not accept liability or responsibility in these circumstances.

More than one burial at any one time in a grave will need to be authorised by the council and authorisation is required for each interment.

When any grave is re-opened for another burial no person shall disturb or remove any human remains already interred.

Funeral directors

The funeral director or persons arranging the funeral should ensure that there are sufficient bearers to carry out the service. Council officers will not assist in the moving, carrying or lowering of the deceased.

11. MUSLIM BURIALS

Hours of burials

Burials can take place between the following hours:

Monday to Friday 9.00am to 2.30pm

Burials may also take place at weekends and on bank holidays subject to availability of staff and for which there will be an additional charge.

The appointed times for funerals must be strictly observed to prevent inconvenience to other funerals. Any funeral arriving at a time other than that appointed, must act under the council's directions. Late arrivals may incur additional charges and the funeral may have to be postponed or rearranged.

Notice of Interment and Registrar's Certificate

A completed Notice of Interment and the registrar's or coroner's certificate must be received before the burial can take place. The Notice must be signed by the grave owner. The council will not accept responsibility for the accuracy of the details contained in the Notice of Interment.

The council will not accept verbal instructions.

Once this form has been accepted no alteration to the arrangements will be allowed apart from the time of the burial. In this case notice should be given to the council at least 24 hours before the time the burial is due to take place.

Purchasing a private grave space (burial rights)

See Section 5.

Upkeep of private grave spaces

The council and the Chorley Muslim Trust have agreed the following prescribed standards to ensure that the Muslim section of Chorley Cemetery meets the needs and requirements of the community.

All private graves and memorials should be kept in good repair by the owner. The council is not responsible for any damage caused to a private grave space.

The levelling of graves is forbidden and after settlement the level must be raised from the ground between four and twelve inches. It is prohibited to decorate the grave.

All memorials must be lawn type headstone only and be constructed of a sound and durable material. Artificial stone, soft stone, metal or artificial material will not be permitted.

Memorials should not exceed the following size:

- a. Height 900mm
- b. Width 800mm
- c. Depth of base (front to back) 450mm

Further information about memorials is available in Section 16 of this policy.

The council may remove, without notice, any item which is deemed to be outside of this policy or may have fallen into disrepair.

12. MUSLIM BURIAL PROCEDURE

Burial chamber

The burial chamber is a concrete vault sealed with concrete slabs. These will be installed in early 2019.

Burials are allowed in a wooden coffin or the deceased may wrapped in a shroud. If a shroud is to be used, a suitable container should be provided to move the deceased to the graveside and consideration given to how they will be placed into the grave.

Preparation of the grave

Graves can only be excavated by someone appointed to do so by the council.

Prior to the burial we will remove the top soil and concrete slabs and place them to the side of the grave. The plastic sheet between the flagstones will be removed. The plastic sheet inside the vault will be moved to the side of the grave with spades for later use.

Where possible there should be a nominated Muslim community representative present to ensure the smooth running of the burial.

There will be an overseeing council officer present at every burial. They will have a discreet presence at the burial to ensure that everything is in place.

Lowering of the deceased

The lowering of the deceased must take place in a controlled and dignified manner. It is not safe for anyone to enter the grave and so the slings provided must be used to lower the deceased.

Covering the chamber

Once the deceased has been lowered the slings should be removed and the concrete slabs placed over the vault. This should be followed by the plastic sheet and a second row of flagstones to ensure a water tight seal.

For safety reasons the correct equipment, being steel toe cap boots and gloves, should be worn and extreme care taken.

Once the chamber is sealed the soil may be returned to the grave and mounded as required.

Returning the soil to the grave

Families and mourners may wish to return the soil to the grave themselves and spades will be provided. Our grave diggers are also available to do this or to assist if requested.

Great care should be taken to ensure that mourners are not injured whilst returning soil to the grave. It is recommended that only three people do this at any one time.

The soil on the grave should be left mounded to allow it to settle.

The grave diggers will tidy the area and remove excess soil.

Number of burials in a grave

Only one interment will be allowed in each burial chamber.

13. BEHAVIOUR IN CEMETERIES

- I. All visitors must behave in a quiet, orderly and respectful manner.
- II. Visitors must not cause nuisance or interfere with any burial taking place or any grave or memorial.
- III. No sports or games or discharge of firearms, (unless at a military funeral), are allowed.
- IV. Any person, who damages, defaces or destroys any property or causes a nuisance in the cemeteries may be prosecuted.
- V. Dogs must be on a lead.
- VI. Vehicles must not exceed five miles an hour and must use the one way system. Vehicles must not park on any grassed area.
- VII. Vehicles may be prevented from entering the cemeteries during maintenance work.
- VIII. Children under 12 years of age must be accompanied by a responsible person.
- IX. No demonstrations of any kind are allowed.

14. OPENING HOURS

The cemeteries are open to the public 365 days a year.

15. FEES AND CHARGES

Fees are set by the council to recover the full cost of delivering the bereavement service. Fees are reviewed at least annually and approved by Executive Cabinet. These are available on the website at chorley.gov.uk. Any payment due is required in full in advance unless a funeral director is arranging the funeral.

Fees are different for residents and non-residents.

A resident is considered to be:

- a permanent occupier of a residential property within the borough of Chorley or a payer of council tax to Chorley Council
- someone who purchased the grave whilst living in the borough or have lived in the borough for 10 years of adult life (adult being 16 years or over) or are the parent, child or spouse of a resident
- for interments in public graves every person who has no other place of abode and passes away within the borough.

The Executive Member with responsibility for Cemeteries can in exceptional circumstances waive the non-resident fee.

16. MEMORIALS

Headstones or other memorials can only be erected on private graves or vaults. No memorial of any kind is allowed on an unpurchased grave nor can anything be placed on an unpurchased grave without the council's consent.

All private graves including monuments and headstones must be kept in good and safe repair by the owner. Notice will be sent to the owner in the case of repair being required and this must be carried out within three months by a memorial mason authorised by the council. Where the repairs are not completed within this period, the council will arrange for the removal, repair or making safe at the expense of the grave owner.

Kerbstones, border stones, fencing and marble or stone chipping are not allowed.

The charge for interment does not include any memorial or inscription.

Before any monument or stone is erected, repaired or any inscription is cut or altered, an application must be made to the council, a permit received and an appointment made. Memorial masons will be suspended from working in the council cemeteries where work is undertaken without this taking place.

The council is not responsible for memorials damaged through any cause whatsoever, nor for any injury or damage caused by them. Adequate insurance cover should be taken out by the grave owner at the time of purchase and kept in force.

All headstones or other memorials must include details of the section, plot number and denomination at the bottom of the plinth.

Types of memorials

Private Graves (purchased)

All memorials must be lawn type headstone only.

Memorials should not exceed the following size:

Headstone 900mm

Width 800mm

Depth of base (front to back) 450mm

All monuments and memorials shall be constructed of a sound and durable material. Artificial stone, soft stone, metal or artificial material will not be permitted.

An inscribed vase not exceeding 0.028 cubic metres may be placed on a grave instead of a headstone. It must be permanently fixed to a stone or concrete plinth 600mm x 600mm base and bear the section, number and religion of the grave. One vase only shall be permitted on each grave. In the event of a headstone eventually being placed on the grave the vase must then be removed.

A charge is payable to the council for each inscription after the first.

Garden of Remembrance

A plaque may be placed on the Columbaria planter which accommodates 48 memorial plaques measuring 300mm by 80mm. Three lines of gold leaf inscription can be inscribed on each plaque.

Plaques will be removed after 10 years.

Family ashes section

A memorial up to 450mm in height with inscriptions may be erected.

Baby section

A small black marble or granite tablet measuring up to 300mm by 300mm may be placed level with the surrounding turf and one small flower vase can be placed at the head of the grave.

Memorial works

Memorial Masons must be BRAMM registered or have 10 years' experience working in council owned cemeteries and work in accordance with the NAMM Code of Working practice

All headstones and memorials must be fixed to the satisfaction of the council in accordance with the NAMM Code of Working practice or equivalent recognised ground anchorage system.

Any new memorial must have the grave number, section and religion clearly and conspicuously engraved upon the base in figures not more than 25mm high. Only the name of the stonemason may be cut in a similar position in letters not more than 15mm high. The council will remove any memorial not inscribed in this way.

Fixing or removing memorials may only take place Monday to Friday 8:00am to 5:00pm. Masons will work under the direction of the council and remove all spare soil or other materials and leave the ground to the council's satisfaction. They will be responsible for any damage done by them or their workmen. All work must be carried out continuously and completed in a timely way without disturbance to other graves.

Attempting to attract orders or obtain information about grave owners is not allowed.

The council will remove any memorial or inscription placed in the cemetery without permission at the expense of the owner

The council will exclude any memorial considered unsuitable and re-fix, move, line up or alter the position of any memorial in the cemetery.

All brick or stone work in vaults or graves as well as foundations and removals and re-fixing of materials are to be carried out by the council at the expense of the owner of the grave.

No memorial shall be removed from the cemetery without the permission of the grave owner and the consent of the council. Memorials may be removed at the sole risk of the owner and the council will not be held responsible for any damage which may occur.