



Stroud Town Council CEMETERY REGULATIONS

Stroud Cemeteries

Bisley Road and Horns Road

Updated – January 2020

Contents

Introduction.....	2
Legislation.....	3
General Regulations	3
Administration.....	3
Admission to Cemeteries.....	3
Fees and Charges.....	4
Grass Cutting	4
Graves.....	4
Exclusive Right of Burial.....	5
Transfer of Exclusive Right of Burial.....	5
Coffins.....	6
Booking of Interments.....	6
Interments.....	6
Memorials.....	7
Memorial Garden Area.....	8
Garden of Remembrance	9
Exhumation.....	9

Introduction

These regulations apply to all Cemeteries owned by Stroud Town Council.

Currently the sites include:
Stroud New Cemetery, Horns Road
Stroud Old Cemetery, Bisley Road

Stroud Town Council welcomes all visitors to our Cemeteries. We ask that visitors respect the peace, dignity and wildlife of the site as well as other users. We thank you in advance for your cooperation and consideration.

These regulations have been drawn up to ensure that the Cemeteries are safe and inviting communal spaces for quiet reflection and remembrance. Stroud Old Cemetery is also a designated Local Nature Reserve and as such is open for quiet informal recreation and the enjoyment of the habitat and wildlife within.

The regulations have also been drawn up to try to minimise restrictions to the rights and choices of the individual whilst ensuring that the sites are safe and well-maintained for all, including staff and contractors.

The Council has been guided by the principles of the Charter for the Bereaved where this relates to cemetery and burial management. The charter can be found at:
www.iccm-uk.com/iccm/index.php?pagename=charterforbereaved.

Legislation

Various Acts of Parliament and Government Regulations apply to burials and how Cemeteries are maintained. If any conflicts occur between these regulations and Cemetery Regulations, the Cemetery Regulations shall apply. Legislation includes but may not be limited to the following:

- Cremation Acts 1902 and 1952
- Health and Safety at Work Act 1974
- The Local Authorities Cemeteries Order 1977 SI 1977/204 (as amended)
- Environmental Protection Act 1990
- Cremation Regulations SI 2008/2841

General Regulations

No employee of the Council is allowed to take any gratuity, or to undertake paid private work of any kind in connection with the Cemeteries either in their own time or during their employed hours.

No person shall canvass or solicit business in the Cemeteries.

All fees for interments or memorial works must be paid in full to the Council in advance.

The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

Photography and filming for commercial purposes can only be permitted with prior consent of the Council.

All persons visiting the Cemeteries do so at their own risk, and the Council shall not be liable (except in respect of personal injury or the death of any person caused by the Council's neglect) for any injury or damage sustained, regardless of the form of action, whether in contract, tort (including negligence or breach of statutory duty) strict liability or otherwise.

Administration

All interment bookings, general enquiries and comments regarding the Cemeteries should be directed to:

Stroud Town Council, Thanet House, 58 London Road, Stroud GL5 2AD. Tel: 01453 762817

The office is open 10am-1.30pm Monday-Thursday and 9.30am-12.30pm Friday, with the exception of Bank Holidays and other Public Holidays.

Telephone enquiries may be made from 9am-5pm Monday-Thursday and 9am-12.30pm Friday.

Plans and registers may be inspected by prior arrangement. A search fee may apply.

Admission to Cemeteries

The Cemeteries are open to the public every day at all reasonable times unless otherwise indicated by notices placed at the entrances.

Vehicular access gates at Stroud New Cemetery remain open. The Council reserves the right to close these gates should it so decide and for safety reasons such as ice or other hazardous conditions.

Specified areas in the Cemeteries may be temporarily closed to visitors by placing warning cones/tape identifying the areas of work.

The Cemeteries are places of peace and quiet reflection. They are also workplaces. Visitors to the sites are welcome, but please respect the special nature of the sites, the needs of other users, and safety factors. Motorcycles, mini-motos and use of drones or similar are not allowed. No consumption of alcohol or drugs may take place, and anybody under the effects of such substances will not be admitted.

Any person creating a nuisance or a disturbance, such as interfering with a burial, grave, memorial, flowers, trees etc., will be required to leave the Cemeteries immediately and may be the subject of subsequent legal action.

Climbing on any monuments within the Cemeteries is strictly prohibited.

Dogs are permitted but must be kept on a lead and restrained from straying off paths and drives, and interfering with, or disturbing, any other person in the Cemeteries. Any faeces must be removed from the Cemeteries in an appropriate manner or placed within dog or refuse bins provided. Failure to do so may lead to prosecution under Stroud District Council's Public Space Protection Orders.

Unauthorised vehicles are not permitted to enter Stroud Old Cemetery.

Cars are permitted within Stroud New Cemetery for the express purpose of visiting of graves only. They must be driven with due care and at speeds not exceeding 5 miles per hour and not be taken onto grassed areas. Drivers must comply with all directional signs and all Council employees' directions. The Council will not be held responsible for any damage to vehicles or other property.

Visitors with disabilities or other special requirements should contact the Council for assistance.

Fees and Charges

The Council will publish a scale of fees and charges annually (available for inspection on the Council's website www.stroudtown.gov.uk or by contacting the Council Office). Residents of the parish will qualify for reduced fees compared to non-residents (proof of residency may be required).

A resident is defined as somebody who lived in the parish prior to death. Any application made in respect of persons who were formerly resident, for example residents who have moved to a care home, will be considered on merit and costs determined at the discretion of the Council.

Grass Cutting

General grass cutting will be carried out at a frequency determined by the Council, subject to weather conditions. Grass cutting may differ in areas identified by the Council as conservation/wildlife zones. In many areas it is our deliberate policy to keep the path edges mown with the majority of the grass left for an annual hay cut.

Graves

The selection of grave spaces shall be at the final discretion of the Council, but the wishes of applicants will be met wherever possible.

The types of graves available are single or double Lawn Graves, double Cremated Remains Graves, single Children's Graves (under 16 years).

All graves will be excavated and prepared for interment by the Council or their appointed contractors only. No other person or company will be allowed to undertake any excavation within the Cemeteries.

All backfilling will usually be undertaken by the Council or their appointed contractors. Subject to a risk assessment and the Council's approval in advance, some backfilling by attendees may be permitted.

The depth of each grave will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977.

Following the interment, the Council will level the grave and either re-turf or make good with topsoil and seed it as appropriate to the season and the conservation value of the site. This will usually happen within 12 months of the interment to ensure the ground remains flat for maintenance.

Every interment shall take place in a private grave. Private graves are graves to which an Exclusive Right of Burial has been issued.

Exclusive Right of Burial

The Exclusive Right of Burial is a deed purchased from the Council which gives the purchaser (Grant Holder - maximum of two), and his or her successors, the Right of Burial in a designated grave space for a period of 70 years. The Right of Burial only is purchased, not the land itself which remains the property of the Council.

The Grant Holder will be issued with a Grant of Exclusive Right of Burial Deed from the Council and have their details entered into a register that will be maintained for this purpose by the Council.

It is the responsibility of the Grant Holder to notify the Council of any subsequent change of name or address.

At the expiration of the 70 year period the Grant Holder will have the option of renewing the Right, subject to such restrictions and regulations as may be in force at the time and upon payment of the appropriate fee. Any application for renewal should be made within 12 months of the expiry of the previous Right.

The Exclusive Right of Burial cannot be purchased in advance of need, i.e. graves cannot be pre-purchased or reserved.

The Grant Holder may apply for permission for a memorial to be placed on the grave.

The Grant Holder can change ownership at any time by completing a form of assignment and upon payment of the appropriate fee.

Transfer of Exclusive Right of Burial

If the Grant Holder is deceased the Exclusive Right of Burial must be transferred before any burial (other than that of the Grant Holder) or memorial application can be approved.

The Exclusive Right of Burial can only be transferred to another person or persons (maximum of two) who are entitled and via the legal process adopted by the Council.

Any transfer will be for the remainder of the grant period.

Coffins

Coffins, caskets and urns for interment must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool, cardboard etc., and should bear a name plate identifying the deceased. The Council also permits shroud burial.

Booking of Interments

A provisional booking for a funeral may be made by telephone to the Council Offices.

The provisional booking should be followed up by the submission of a completed Notice of Interment to the Council Offices at least 5¹ working days in advance of the intended date and time of the interment. Receipt of the fully and correctly completed Notice of Interment will act as confirmation of the provisional booking.

The Council reserves the right to delay an interment if weather or ground conditions make it unsafe to either dig the grave or hold the burial ceremony.

For interment in a new grave the purchaser must sign the Notice of Interment and complete a Grant of Exclusive Right of Burial Purchase Agreement.

For interment in an existing grave the Grant Holder must sign the Notice of Interment, except where the interment is that of the Grant Holder. Should ground conditions prove unsuitable or unsafe for re-opening an existing grave, in accordance with current Health and Safety requirements, the Council reserves the right to offer an alternative grave space.

A certificate for disposal given by the Registrar of Births and Deaths (commonly known as the 'green form') or Crematorium, or an order of the Coroner must be delivered to the Council Offices at least 5 working days in advance of the intended date and time of the interment.

The exact size of the coffin, casket or container must be given in writing to the Council as soon as possible after the provisional booking, including maximum exterior length, width and depth together with any other pertinent information relating to its size and shape (e.g. locking bar handles, casket shape, wicker coffin etc.) to enable the Council to determine the dimensions of grave to be excavated.

As much information relating to the interment as possible must be given to the Council in advance, especially if it is unusual, e.g. large number of mourners expected, music or processions.

It is the responsibility of the person making the interment arrangements to ensure that any memorial on the grave is removed from it at least 5 working days prior to the date and time of the interment. Receipt of the Notice of Interment shall be considered approval for any such removal.

The Council will determine the appropriate fees to be paid for the interment, which must be paid fully in advance.

Interment fees are non-fundable once the booking is confirmed.

Interments

Interments will normally only be permitted Monday to Friday (excluding Bank or other Public Holidays): 9am-2.30pm November-February; 9am-3.30pm March-October. It may be possible to arrange interments outside of these times subject to additional cost. Please contact the Council if a time outside of the permitted hours is required.

¹ Unless religious practices predetermine a specific timeframe.

All interments will be subject to the control of the Council's designated officer, member of staff or appointed contractor, who will meet the cortege and direct it to the grave, and check the coffin or urn plate against paperwork.

The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving interment in the event that it impacts on another service.

It is the responsibility of the person making the interment arrangements to organise a Minister or Officiant for the interment if one is required.

Any floral tributes from the interment will be placed on top of the grave following backfilling, and will remain in situ for a minimum of 21 days before being cleared by Council staff (unless family have already removed them).

Designated areas for the burial of cremated remains are available. Dedicated Cremated Remains Graves are capable of holding two sets of cremated remains. Dedicated existing Lawn Graves may also have up to four sets of cremated remains (subject to permission being given to the Grant Holder).

Cremated remains may be scattered in the permitted area of the Old Cemetery only and upon payment of the appropriate fee.

Memorials

Only Memorial and Stone Masons registered with and compliant with the standards of BRAMM (British Register of Accredited Memorial Masons) or NAMM (National Association of Memorial Masons) are permitted to erect memorials within the cemeteries. This includes memorials being reinstated following removal for interment or changes.

All memorials fixed in the Cemeteries must comply with British Standard 8415 (latest version) and the BRAMM Blue Book (latest version).

Ground anchors and fixing systems used in the construction of memorials must have a certificate of compliance with BS8415 (latest version).

Memorials will only be permitted on purchased graves.

Memorials will not be permitted to be erected within 12 months of any interment due to possible ground movement.

Temporary timber crosses or other temporary markers may be installed immediately following interment. Any such temporary markers shall be removed within 24 months of the interment. If not removed, the Council reserve the right to remove and dispose of them.

Before any memorial may be erected or works undertaken to an existing memorial, including reinstatement following interment, an application must be submitted to the Council on the appropriate form. The Grant Holder must sign the form to give their permission for the proposed memorial/works. If the Grant Holder is deceased the Exclusive Right of Burial must be transferred before the memorial application can be approved. On approval by the Council permission will be granted to the responsible Memorial Mason, who will only undertake works at a time agreed with the Council in advance.

The Memorial Mason must inscribe the company name only on the reverse of the stone towards the base in lettering not more than 25mm high. No trademark, phone number or other advertising will be allowed. The Memorial Mason must also inscribe the grave number towards the bottom right hand side of the

reverse of the memorial in letters not exceeding 25mm high. On kerbstones the grave number must be inscribed on the right-hand side of the foot kerb.

Memorial Masons must remove all arisings from the Cemeteries at the conclusion of their work, and must leave the area in a tidy condition. It is not possible for memorials to be stored in the Cemeteries prior to re-fixing following an interment – all such memorials must be removed from the site by the memorial mason appointed to remove the memorials prior to the grave being excavated.

Permanent memorials must be able to bear continuous exposure to the weather and must be made of durable natural stone. Sustainably-sourced (i.e. FSC or PEFC certified) hardwoods may be used but the Council reserves the right to remove the Memorial if its condition has deteriorated.

The maximum dimensions for memorials including plinth are as follows:

Lawn Grave: height 1000mm; width 600mm; depth 300mm.

Cremated Remains Grave: height 600mm; width 440mm; depth 300mm.

Children's Grave: height 600mm; width 440mm; depth 300mm.

Memorial Vase: height 300mm; width 250mm; depth 250mm.

Garden of Remembrance Memorial Plaque: width 150mm; height 100mm.

The Council reserves the right to reject an application for any memorial that it deems unsuitable.

All memorials are erected at the sole responsibility of the Grant Holder and the Council shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. The memorial remains the responsibility of the Grant Holder during the lease period of the grave.

The Council will undertake routine safety checks on all memorials, and will notify the Grant Holder at the last registered address of any necessary works to make the memorial safe. The Grant Holder will be given a period of 28 days from the date of the letter to contact the Council and arrange the necessary repairs. The Council reserves the right to temporarily make safe any memorials that pose an immediate danger until such works are completed. This may require the lying flat of a memorial. If the Grant Holder does not arrange for the repairs to be made, the Council may repair or remove the memorial at the Grant Holder's expense.

Memorial Garden Area

The maximum permitted garden area measured from the space where a memorial stone may be installed shall not exceed 1 metre x 600mm on a Lawn Grave and 600mm x 440mm on a Cremated Remains Grave. This length includes the full depth of the plinth and/or headstone. Please be aware that it may be necessary to reposition the garden area once a memorial stone is installed in order to comply with the above dimensions.

No trees may be planted on graves. Only suitable planting such as annual bedding or small shrubs will be permitted. These should not be allowed to grow taller than 600mm or to spread outside the width of the memorial area. The Council reserves the right to cut back or remove plants outside these limits.

Fences or other boundaries of any height or form may not be erected. The Council will consider the installation of kerbstones on Lawn Graves if they are constructed to current recognized industry standards. The area allocated for any kerbstone shall not exceed 1 metre x 600mm. Any memorial vase, chippings, pebbles or stones must be located within this area only.

Cut flowers may be placed loosely or in appropriate metal or plastic vases. Please note that wild deer frequent the Cemeteries and flowers can sometime be eaten by them.

Removed flowers, cuttings or other natural plant material should be taken home for disposal or placed within the designated concrete bays provided. Please ensure all plastic or metal parts are removed and placed within the refuse bins provided.

Whilst artificial flowers are permissible it should be noted that they are environmentally damaging.

Removed artificial flowers, oasis, cellophane, wrappers or other plastic items should be taken home for disposal or placed within the refuse bins provided.

The following items are not permitted: glass, china or porcelain items, including vases, candle-holders, bottles or ornaments; plastic items other than vases, including plastic windmills, solar lights and bottles; naked flames including lit candles; food and drink.

Slug pellets and other pesticides including herbicides such as glyphosate are strictly forbidden due to the danger they present to wildlife.

The use of any petrol-powered strimmers or other tools is strictly not permitted, other than by the Council's staff or appointed contractors.

The Council may remove any articles immediately that are likely to cause risk, damage or offence to other visitors to the Cemeteries, or which interfere with the Council's maintenance of the site.

The Council reserves the right to remove any natural or artificial floral or other items if they are deemed to have perished, weathered or become an eyesore. This is to include memorabilia such as deteriorated and discoloured soft toys and Christmas wreaths. Christmas wreaths will be removed and disposed of if they are still present at 01 February.

If the garden area is not used, it will be turfed and managed as a lawn.

Garden of Remembrance

Families can commemorate a loved one by providing a Memorial Plaque to be placed in the Garden of Remembrance located in the Old Cemetery.

Plaques should be bronze with predrilled fixing holes ready for fixing by Council staff. Dimensions: width 150mm; height 100mm.

Please note a fee will apply.

Exhumation

No body or container of cremated remains can be removed before the Council has received the necessary faculty or license required by law.

The fee for any exhumation will be priced on application.