

## Hamble le Rice Parish Council

### REGULATIONS IN RESPECT OF BURIALS AND INTERMENT OF ASHES AT ST ANDREW'S CEMETERY, HAMBLE LE RICE

The Parish Council's Policy is to provide a space for quiet contemplation, whilst supporting biodiversity as the cemetery provides an important green corridor for wildlife. The cemetery will be managed on a naturalistic basis, with grass mown infrequently in some areas.

It is intended that St Andrew's Cemetery is laid to grass as far as possible and should be kept free of anything that impedes the cutting of the grass. This means that kerbs, railings, bird baths and stone chippings are not permitted on or around grave or cremation plots.

The right to burial in the cemetery is restricted to parishioners listed on the electoral register at the time of death. Non-parishioners may not be interred in St Andrew's Cemetery.

**The Parish Council has a statutory duty to ensure risks within the Council's cemetery are properly managed and these regulations are in place to ensure the safety of all those working at and visiting the cemetery.**

These regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other relevant laws or statutes currently in force.

**Where an application to re-open a grave or install a memorial is submitted for an existing plot without a current valid Exclusive Right of Burial in place this must to be purchased or renewed at the current rate before any further interment, memorial installation or additional inscription can be approved.**

**1 Applications** Applications for burials and interment of ashes must be received at the Parish Office at least seven clear working days in advance of the day of interment, except for medical or religious reasons. The pre-purchase of a grave or cremation plot is not permitted. Graves and ashes plots will be allocated in sequence by the Parish Council.

Existing memorials must not be removed without prior agreement and written permission of the Parish Council.

**Where an existing burial plot is to be re-opened the undertaker must make arrangements for the depth of the existing burial to be checked at least five working days before the proposed date of the re-opening to ensure there is sufficient legal depth for a second burial. There must be no less than 6 inches of soil separating the first and second interment and no less than 3 feet of soil between the top of a casket/coffin and the normal ground level. The Parish Council does not accept any responsibility for historic insufficient grave depth.**

**2. Certificate of Disposal** A legal certificate or the Registry of Death, or in the case of an inquest, the Coroner's order, must be delivered to the Clerk at least five working days before the interment takes place.

**3. Fees and Charges for Interments** The fees and charges payable to the Parish Council contribute towards the upkeep and maintenance of the cemetery and for regular inspections. The current Table of Fees and Charges is available on the Hamble Parish Council website: [hambleparishcouncil.gov.uk](http://hambleparishcouncil.gov.uk).

All fees must be paid by bank transfer and received by the Clerk at least five clear working days in advance of the day of interment.

**4 Exclusive Right of Burial** No headstone shall be erected on a grave, nor tablet placed on an ashes plot, unless an Exclusive Right of Burial is current. Until satisfactory proof of ownership is provided the grave cannot be opened or interfered with, and no memorial, tablet or other article may be installed or work carried out on the existing memorial, including additional inscriptions. The Exclusive Right shall last for a period of 20 years and may be extended for up to a further period of 20 years with the agreement of the Parish Council and upon payment of the prevailing fee at that time. Further information on Rights and legal processes applicable to Exclusive Right of Burial is available on [hambleparishcouncil.gov.uk](http://hambleparishcouncil.gov.uk)

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Due to the very limited space remaining at the cemetery the Council reserves the right to permit further burials in a grave where the Exclusive Right of Burial has not been purchased or has expired. This will be carried out with the agreement of the persons arranging the interment and the body to be buried will not be connected in any way with the previous interment.

**Production of Grant or Deed required before re-opening** No grave in which the Exclusive Right of Burial has been purchased can be re-opened without the production of the Grant and the written consent of the owner or their personal representative.

**5. Digging of Graves & Cremation Plots** The Parish Council does not arrange for graves to be dug. Grave diggers must not carry out any works until a date and time has been agreed with the parish council and proof of public liability and, if applicable employer's liability, insurance provided to the parish council in advance.

**Grave diggers must always use shoring and make the grave safe overnight using a metal cover securely staked into the ground. Grave depths must be checked, and the overnight safety arrangements approved by the Parish Council before the grave digger leaves site.**

Surplus spoil is to be removed from the Cemetery by the grave digger and no spoil must be deposited on an adjacent grave or plot any time. Graves and plots must be re-turfed at the conclusion of the interment. Mounds must be levelled after 12 months.

**6a Interment in Graves** For all graves:

- The minimum depth for all plots is double depth (7 feet).
- There must be at least 3 feet of earth between the surface of the surrounding ground and the top of the last coffin
- No coffin shall be buried in a grave in which an interment has already taken place unless the coffin containing the body is effectually separated from any coffin already placed and remaining in the grave by a layer of earth not less than 6 inches in thickness
- No human remains interred therein shall be disturbed
- No contaminated soil will be removed from a grave.
- Coffins shall be made of suitable biodegradable materials (excluding fittings) and no metal or other non-biodegradable coffins will be allowed.

**6b Interment of Ashes** In all cremation plots:

- There shall be at least two feet of earth between the surface of the ground and the ashes or top of the container.
- It is preferred that ashes are interred free of any casket or urns. Should a container be used it must be made of suitable biodegradable materials and no metal or other non-biodegradable caskets will be allowed.
- The specific position of ashes within the plot must be as approved by the Parish Office.

**7. Burial of Bodies** All bodies should be respectfully covered with the name of the deceased indelibly fixed. In the case of still-born children, the names of the parents may also be indelibly fixed to the covering or coffin.

**Death from Infectious diseases** In all cases of death from infectious diseases the body shall be taken direct from the hearse to the grave

**8. Memorials** Only BRAMM registered stone masons who have provided a copy of adequate public liability insurance can carry out works in the cemetery. All memorials are subject to the Parish Council's Memorial Regulations. The Memorial Regulations and Table of Fees are available on [hambleparishcouncil.gov.uk](http://hambleparishcouncil.gov.uk). Memorials must be made from natural materials.

Existing memorials must not be removed without prior written permission from the Parish Office.

Memorials will be inspected after installation and any memorial that does not comply with the regulations, the approved application or has been misrepresented must be removed immediately by the Stonemason at their own cost and may result in further sanctions by the Parish Council.

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Some older existing graves and ashes plots may have larger and different style memorials. This is due to historical practice or regulations and does not set a precedent for new memorial applications.

Exclusive Right of Burial must be purchased for a burial or ashes plot before a memorial can be installed or replaced. This also applies to existing plots where Exclusive Right of Burial may not have been purchased at the time of the original burial or ashes interment.

Written permission of the holder of the Exclusive Right of Burial must be obtained before any memorial application can be approved by the Parish Council.

**9. State of Repair** Exclusive Right of Burial holders have a duty to ensure the grave and memorial are kept in good repair and safe. Notice of an issue will be sent in writing to the registered owner at the address held in our records. If the necessary remedial action is not taken the Council reserves the right to take over the maintenance of the grave or plot and have it, and any memorial on it, put in good and safe order at the expense of the grave or cremation plot owner. If payment for works is not forthcoming appropriate action will be taken.

**10. Grave/Cremation Plot Enclosures** Memorials must be placed in the position determined by the Parish Council. No form of grave/cremation plot enclosure is allowed. This includes railings, chains, wooden edging of any description, earth edging and glass wreath cases. The Council reserves the right to remove any unauthorised items and hold them for collection by the owner within 14 days of notification and to then dispose of them.

**11. Trees, Shrubs, and Artificial Flowers** The planting of trees, shrubs and bushes is not permitted in the cemetery without the permission of the Parish Council as these undermine memorials and make them unsafe. If any tree, plant or shrub is planted in any part of the Cemetery, without the prior permission of the Parish Council, it will be removed.

Wreaths and cut flowers may be laid directly on graves/cremation plots. Artificial flowers are not permitted, excepting Remembrance Day poppies and Christmas Wreaths. The staff responsible for the maintenance of the cemetery may remove flowers that appear withered and may also remove objects not complying with these regulations.

Please remove dead flowers when tending a grave or ashes plot. Litter and compost bins are provided.

**12 Personal Effects** The cemetery is an area for quiet reflection for many people and objects such as balloons, plastic novelties or personal effects may cause upset or offence. Such items are discouraged and, after a period of three months from the date of burial, will be removed. Similarly, candles and any breakable objects particularly glass items, are not permitted due to safety risks to visitors and wildlife. Such items may be removed by the Parish Council and held for collection for 14 days before being disposed of.

**If you have any queries or need further information please don't hesitate to contact the Parish Office on 023 80453422 or [deputyclerk@hamblepc.org.uk](mailto:deputyclerk@hamblepc.org.uk).**

**Application forms and copies of all cemetery and memorial regulations are available on [hambleparishcouncil.gov.uk](http://hambleparishcouncil.gov.uk)**

**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.**