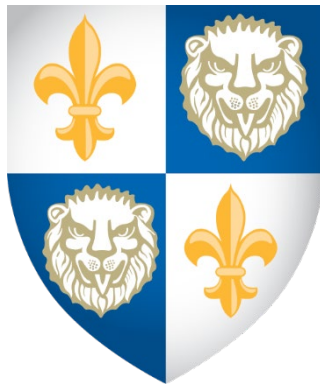


SHAFTESBURY TOWN COUNCIL

*Delivering Excellence
across the Shaftesbury
Community*



CEMETERY REGULATIONS

Date of Adoption: 2024 06 18

Last Reviewed:

Reviewed Date: June 2025



External Operations Policies

1. OPENING HOURS

- 1.1 The cemetery is open for pedestrian access at all times. Shaftesbury Town Council (the Town Council) reserves the right to make such closures as may be necessary for repairs, emergencies or in the interests of public safety at any time.
- 1.2 Children under 16 are not admitted unless visiting a grave. No dogs (except guide dogs) or horses (except with a cortège) are permitted in the cemetery.
- 1.3 Any person(s) wilfully destroying, damaging or defacing any property of the Town Council or any memorial will be prosecuted as will anyone playing games or sport, discharging firearms (excluding a military funeral), committing a nuisance or disturbing others attending a funeral/grave.

2. INTERMENTS & EXCLUSIVE RIGHT OF BURIAL

- 2.1 The hours of interment will be between 9.00 am and 3.30 pm Monday to Friday. No interment will normally take place at weekends or public holidays although Saturday interments will be permitted in special circumstances. Due consideration will be given to religious requirements which may require alteration to the foregoing.
- 2.2 The Town Council endeavours to only have one interment on any given day.
- 2.3 No interment shall take place without permission of the Town Council. Notice of interment must be given at least 2 working days prior to any interment to the Town Clerk. The notification must be made on the official form provided by the Town Council.
- 2.4 Ashes may not be scattered but must be interred in an earthen grave and contained in a **biodegradable** casket. An application for interment must be made to the Town Clerk. The notification must be made on the official form provided by the Town Council.
- 2.5 The Exclusive Right of Burial must be purchased and issued before an interment takes place or a memorial can be erected.
- 2.6 The Exclusive Right of Burial in a grave space will be for a period of 99 years at the appropriate fee.
- 2.7 The Exclusive Right of Burial entitles the current owner to determine who is buried in the grave and whether a memorial can be erected on the grave (subject to approval and payment of relevant fees).
- 2.8 The owner of an Exclusive Right of Burial can surrender the Exclusive Right of Burial, if the grave has not been used for burial, on completion of a Surrender of Right of Burial form and the return of the original Deed of Grant of Exclusive Right of Burial. Upon surrender the owner shall be entitled to a refund as specified on the original deed of the Exclusive Right of Burial.
- 2.9 Any grave space, for which exclusive right of burial has not been purchased, may be purchased by a member of the family there buried on the terms mentioned in the list of fees. The exclusive right of burial will be granted for 99 years minus the number of years the person has been buried for. The Exclusive Right of Burial may be transferred to immediate family members when the original Certificate owner dies or relinquishes ownership.

Applications must be made to the Town Clerk and a small administrative fee will be charged. It is the responsibility of the owner to inform the Town Council of any change of address in order that contact can be maintained.

2.10 Preparation and digging for interments (excluding cremated remains) must comply with the Town Council's grave Digging Policy.

3. MEMORIALS, FLORAL TRIBUTES, TREES AND SHRUBS

3.1 No memorial shall be placed in the Cemetery, and no alteration/additional inscription shall be made on any memorial without the permission of the Town Council. Applications must be made on the official form provided by the Town Council with a plan showing the proposal. If the request is considered to be unsuitable it will be referred to the appropriate Town Council Committee.

3.2 All new memorials shall be of materials which will bear continuous exposure to the weather. Memorials constructed of wood, concrete, artificial stone, terracotta, china or porcelain, or of any other material which in the opinion of the Burial Committee is unsuitable or incongruous with its surroundings will not be allowed.

3.3 Memorials shall **not** exceed 7 feet in length from front to back, 3 feet in width and 4 feet in height.

3.4 Kerb Stones - Applications for kerbstones will be considered by the Town Clerk taking into consideration neighbouring graves and future access requirements. If the request is considered to be unacceptable by the Town Clerk, then the request will be referred to Full Council whose decision shall be final

3.5 Kerb Stones will not be permitted in the new section, from number SE1077 onwards and NE1055 onwards

3.6 No kerb surround/edging will exceed 762 mm in width and 2100mm in overall length (2'6" x 7') The materials used must be of a similar appearance to those used in the construction of the headstone.

3.7 Stone chippings are only permitted on graves within approved kerbing.

3.8 Memorials must be installed in accordance with the current National Association of Memorial Masons (NAMM) Guidelines.

3.9 The right to erect and maintain a memorial on a grave will be granted for a period of 30 years. This period can be extended following a satisfactory inspection of the memorial. The Town Council may authorise removal of memorials from private graves, where the right of burial period has expired, or if the memorial has not been maintained.

3.10 It is the responsibility of the owner to maintain the memorial in a good state of repair. In the event of any such memorial becoming dangerous, or dilapidated, the Town Council will give notice to the owner requesting the repair or removal of any such memorial. Failure to do so may result in the Town Council removing a memorial if it fails a health and safety inspection. If the Town Council is unable to trace the owner after taking such reasonable steps as it may consider necessary for that purpose, then the Town Council will take appropriate action to make it safe and tidy.

- 3.11 All memorials (including any vase) shall have the grave space reference number inscribed on the reverse. The inscription of any advertisement will not be permitted.
- 3.12 Railings or fencing enclosing a plot of any kind are not permitted. No structures of any kind (other than an authorised memorial) are permitted on the plot.
- 3.13 Nothing may be affixed to, or laid upon, any grave or monument such as lighting, ornamentation, images, models or paintings. Unauthorised items will be removed by the Town Council and held for 60 days before disposing of them.
- 3.14 It is the responsibility of the grave owner to maintain the memorial in a good state of repair. The town council staff carry out an inspection programme, checking the condition of every memorial, which may result in unsafe memorials being laid flat to prevent damage or injury. In the event of any such memorial becoming dangerous, defective or illegible, the Town Council may, in accordance with the powers and procedures set out in Article 16(2) and Schedule 3 of the Local Authorities Cemetery Order 1977, give notice to the owner (grantee), by way of notices on defective graves, requiring him/her to repair or remove any such memorial. If, after the expiration of the notice, the owner (grantee) has failed to repair or remove any such defective or dangerous memorial, or if the Town Council is unable to trace the owner after taking such reasonable steps as it may consider necessary for that purpose, then the Town Council will take appropriate action to make safe and tidy.
- 3.15 Following an interment, fresh or artificial flowers, either as wreaths or in flower pots (no glass containers may be placed on the plot) should be removed after fourteen days by either the family or Town Council staff.
- 3.16 Flowers should only be placed in containers integral to the memorial or for graves only, placed on the memorial base or for cremation plots, placed on the memorial. Flowers and/or containers must not be placed along the plot as this prevents grass maintenance. Any flowers and/or containers placed incorrectly will be removed by the Town Council. **Glass containers are not allowed as they shatter easily and constitute a *danger to the public and maintenance workers*.**
- 3.17 Floral tributes will be removed when dead or unsightly at the discretion of the Town Council.
- 3.18 No tree or shrub shall be planted in, or removed from, the Cemetery. The Town Council reserves the right to prune, cut down or remove any shrubs, plants or trees at any time when, in the opinion of the Council, they have become unsightly or overgrown.

4. SEATS, BENCHES AND ORNAMENTATION

- 4.1 No seat, bench or ornamentation can be placed in the Cemetery without the permission of the Town Council. Applications for permission to locate a seat or bench should be submitted to the Town Clerk.

5. REMOVAL OF REMAINS

5.1 Human remains shall not be removed except by the Exhumation Order from the Department of the Environment or other appropriate Statutory Authority.

6. FEES AND CHARGES

6.1 All fees and charges must be paid to the Town Council at the time of giving notice of the interment/erection of memorial etc. Cheques should be made payable to 'Shaftesbury Town Council'.

6.2 The Town Council is able to carry out searches of burial records and graves by appointment (charges may apply). To make an appointment please contact the Town Clerk's Office, using the details below.

7. DISCLAIMER

7.1 The Town Council cannot be held responsible for any damage to any memorial or any personal property taken into the Cemetery. The Town Council will not be liable for damage to any memorial in the Cemetery caused by storm, wind, subsidence or by any other cause.

7.2 If any damage is caused to the Town Council's land or premises by bringing in any materials, gravestones, or monument or from any other cause, the person or persons doing such damage will be held responsible for the same and the Town Council may recover the cost of repairing such damage from such person or persons and, in addition, take proceedings under Article 18 of the Local Authorities' Cemeteries Order 1977.

7.3 The Town Council is committed to protecting and respecting the privacy of everyone and ensuring it is fully compliant under the General Data Protection Regulation and the Data Protection Act 2018. We process your personal data in accordance with the law, please see the privacy notice on our website which provides more details on the processing of data.

These Regulations have been approved by Shaftesbury Town Council, which reserves the right to make alterations/additions as appropriate