

# **UCKFIELD TOWN COUNCIL**



## **SNATTS ROAD CEMETERY**

### **REGULATIONS**

## **UCKFIELD TOWN COUNCIL SNATTS ROAD CEMETERY, UCKFIELD**

Uckfield Town Council welcomes all visitors to the Cemetery and you are asked to respect the peace and dignity of the facility.

The Cemetery is managed and operated by Uckfield Town Council in accordance with the Local Authorities' Cemeteries Order (LACO) 1977, as amended by the Local Authorities' (Amendment) Order 1986 and such other regulations as may be made by the Secretary of State for the Ministry of Justice from time to time.

### **MANAGEMENT OF THE CEMETERY**

**1.** The Cemetery will be open to the public daily during the hours of daylight but the Council reserves the right to close the Cemetery and limit entry at any time.

No person, other than a person authorised by the Council shall enter, or remain in the Cemetery at any hour when it is closed to the public.

**2.** All persons entering the Cemetery will be subject to the orders and control of the Council or any person authorised by the Council.

**3.** All persons shall conduct themselves in a decent, quiet and orderly manner and are reminded of the provisions of the LACO article 18 (1), which states:

No person shall:

- (a) Wilfully create any disturbance in a Cemetery
- (b) Commit any nuisance in a Cemetery
- (c) Wilfully interfere with any burial taking place in a Cemetery
- (d) Wilfully interfere with any grave or vault any tombstone or other memorial or any flowers or plants on any such grave, or
- (e) Play at any game or sport in a Cemetery.

**4.** Visitors to the Cemetery shall not unreasonably interrupt the Council's employees at their duties or employ them to execute private works within the Cemetery. All enquiries, complaints and requests by members of the public must be made to the office of the Council and not to Council employees in the Cemetery.

**5.** Under the Dogs Exclusion (Uckfield Town Council) Order 2012 all dogs except guide dogs are-excluded from the Cemetery.

**6.** Children (e.g. under the age of 12 years) are not permitted in the Cemetery except under the care and supervision of a responsible person.

**7.** No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit for orders for the same, within the Cemetery without the prior consent of the Council.

**8.** Any person using a motor vehicle in the Cemetery shall only do so on a carriageway suited to the purpose, except with the consent of the Council, and shall not exceed 10 mph.

**9.** All visitors to the Cemetery must keep to the footpaths or roads provided for that purpose, except whilst visiting a grave, and refrain from touching the trees, shrubs, plants or flowers.

**10.** No person shall drop, throw or otherwise deposit and leave in the Cemetery any wastepaper or refuse of any kind, except in the litter bins provided.

**11.** No person shall operate any sound reproducing equipment or play any musical instrument in the Cemetery without the prior consent of the Council.

**12.** No employee of the Council is to demand or receive any gratuity.

**13.** No interment shall take place and no monument or memorial shall be placed in the Cemetery nor shall any additional inscription be made on a monument or memorial without the prior consent of the Council. The scattering of cremated remains is only permitted in the new

Garden of Remembrance subject to the relevant fees being paid.

### **INTERMENTS**

**14.** All applications for interments must be submitted on the prescribed form and given to Uckfield Town Council at least 72 hours prior to the appointed time of the interment.

**15.** The application for interment must contain full details of the deceased, the proposed interment, the grave to be used and the signature of the owner of the Exclusive Right of Burial, if applicable, and be accompanied by the appropriate fees for interment.

**16.** Interments may only take place in accordance with these rules and regulations and between the hours of 9.00am – 4.00pm during summer months and 9.00am – 3.00pm during winter months. No interments will be permitted on Saturday, Sunday, Good Friday, Christmas Day or on a public holiday.

**17.** In cases of emergency, certified by acceptable medical authority, regulation 16 may be waived in the interest of public health.

**18.** The appointed time for an interment will be the time at which the funeral cortege is to arrive at the entrance gate of the Cemetery. The Funeral Director or person in charge of the funeral arriving after the appointed time must act under the direction of the Council or their authorised officer as to when the funeral service may proceed.

**19.** The person or persons arranging the interment shall be responsible for the attendance of a Minister of Religion, if appropriate, to officiate at the burial service and for payment of any fee to which the Minister is entitled.

**20.** Services are limited to 30 minutes but may be extended with the agreement of the Council.

**21.** Any form of religious service may be used but any other ceremony is subject to the approval of the Council. Alternatively the interment may take place without service.

**22.** A certificate for disposal issued by the Registrar of Births and Deaths or a Coroners Order for Burial or a duplicate copy thereof must be delivered to the Council or their authorised

officer when the funeral cortege arrives at the Cemetery.

Any person procuring interment without the production of such certificate or order will be required to make a written declaration on the prescribed form in accordance with Section (1) of the Births and Deaths registration act 1926. In the case of interment or scattering of cremated remains a certificate for burial purposes issued by the Cremation Authority will be required. In the case of a non-viable foetus the Medical Practitioner's or Midwife's certificate of delivery will be required.

**23.** Every body brought into the Cemetery for interment shall be contained in a suitable coffin unless an un-coffined burial has been authorised. No coffin shall be accepted unless it bears adequate particulars of the identity of the deceased person therein. A coffin may only contain one body except in the case of a mother and her baby (babies). Although ashes within a coffin can be accepted.

**24.** The responsibility for providing sufficient bearers to carry the coffin reverently from the hearse to the grave whether mourners are present or not rests with the Funeral Director or person arranging the funeral.

**25.** All graves will be prepared by persons employed by the Council.

**26.** No burial shall take place in a grave in such a manner that any part of the coffin is less than 900mm (3 feet) below the level of any ground adjoining the grave provided that the Council may where they consider the soil to be of a suitable character permit a coffin to be placed not less than 600mm (2 feet) below the level of any ground adjoining the grave.

**27.** No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave on a previous occasion by means of a layer of earth not less than 150mm (6 inches) thick.

**28.** Where any grave is re-opened for the purpose of making another burial therein no person shall disturb any human remains interred therein or remove therefrom any soil which is offensive.

**29.** After interment no body or cremated remains may be removed from a grave without

the production of the ecclesiastical faculty and/or Ministry of Justice licence for exhumation required by law. The original documents will be required for this purpose.

**30.** In the case of the re-opening of a private grave the written consent of the owner of the Exclusive Right of Burial will be required or where the owner is deceased the Council will require to be indemnified against any action arising as a result of permitting the interment. No consent is required for the interment of the owner of the Exclusive Right of Burial.

**31.** The Council may exclude from the Cemetery on the occasion of a funeral any person or persons not being mourners or officially connected with the funeral.

### **EXCLUSIVE RIGHT OF BURIAL**

**32.** The Exclusive Right of Burial in a grave may be purchased at the time of the interment on payment of the appropriate fee and completion of the relevant application form including the signature of the proposed owner.

**33.** The “Right” is granted for a period of 75 years.

**34.** The Exclusive Right of Burial entitles the deed holder to determine who is buried in the grave and whether a memorial can be erected on the grave (subject to the payment of the relevant fees and permission being granted by the Council).

As there is currently no charge for the Exclusive Right of Burial for babies or a non-viable foetus the Council reserves the right to allow more than one interment in each plot. The Council will retain the Exclusive Right of Burial unless the plot is purchased. Memorials will be allowed at the Council’s discretion on un-purchased plots subject to the appropriate fee.

**35.** All such private graves will be initially excavated to the standard depth determined by the Council. The Council cannot be held responsible if, due to factors outside their control the full number of interments in a grave cannot be achieved.

**36.** New graves will be allocated in strict rotation within each section of the Cemetery. Plans showing the grave spaces are kept at the

Councils office, where they may be seen during the normal office hours of the Council.

**37.** At the expiration of the 75 year period of the Exclusive Right of Burial the purchaser, or her/his heir or successors, will have the option of renewing the “Right”, subject to such restrictions and regulations as may be in force at that time.

Applications should be made for renewal of the “Right” within 12 months of the expiry of the previous grant. Where the period of the “Right” of approval has elapsed, and no notification of the intention to renew has been received from the person who held the Exclusive Right of Burial, the Council may grant a renewed Exclusive Right Of Burial to another person, but before doing so will, where possible, notify the previous owner of the “Right”, or personal representative, and give the option of renewal.

**38.** The Exclusive Right of Burial is not automatically transferred to successors in title. The “Right” can be transferred to next of kin or executor subject to such restrictions and regulations as may be in force at that time.

Any transfer of ownership of the Exclusive Right of Burial will be subject to the production of satisfactory evidence of title and the approval of the Council. Such transfer must be registered in the records of the Cemetery and the Deed of Grant of the Exclusive Right of Burial must be produced for endorsement by the Council and the appropriate transfer fee paid.

**39.** Where no interment has taken place in the grave, the owner of the Exclusive Right of Burial may surrender the same to the Council and receive a refund of the original purchase price.

### **PUBLIC (COMMON) GRAVES**

**40.** A public (common) grave is a grave in which no Exclusive Right of Burial has been, or will be, granted by the Council and in which unrelated persons may be interred.

**41.** Should the Exclusive Right of Burial not be purchased at the time of interment Uckfield Town Council reserves the right to determine the initial depth of the grave at 2400mm (8 feet) any subsequent interment in that grave space will be at 1800mm (6 feet).

## MEMORIALS

**42.** A monument may only be erected on a grave or ashes plot within the Cemetery in accordance with these Regulations and upon payment of the appropriate fee. The right to erect a monument rests with the holder of the Exclusive Right of Burial, or subject to an agreed transfer by the Council, their next of kin or executor, and will be for the unexpired portion of the grant of Exclusive Right of Burial.

**43.** The erection of a monument on a public (common) grave will be subject to the discretion of the Council and in accordance with these Regulations and upon payment of the appropriate fee. Where permission is granted to erect a headstone on a public (common) grave, it will be subject to the right of the representatives of other persons interred in the grave to have those persons commemorated thereon. As there is no right to erect a monument on a public (common) grave, such monument does not in itself confer any rights and remains at the pleasure of the Council.

**44.** The Town Council has adopted a headstone only policy (no kerb set) for all new sections of the Cemetery and these areas will be maintained as a lawn Cemetery, the base of all memorials shall not exceed 300mm (12 inches) in depth.

**45.** Applications for the approval to place a new monument or kerb set in the Cemetery, alter or add to any inscription, or replace, add to or remove from the Cemetery any monument or kerb set, must be submitted to the Council on the appropriate Monumental Application Form, provided by the Council.

Such notice must be submitted at least 2 weeks in advance of the proposed date of erection and must include:-

- (i) The grave number and name of the deceased;
- (ii) In the case of a new monument, a drawing of the monument and its specification, including the type, colour and finish (i.e. polished, honed etc.) of the material (natural stone) to be used, and showing all dimensions, including those of the kerb set (if appropriate) and the foundation slab.
- (iii) The text of any inscription to be inscribed on the monument, or any text to be altered or added to any existing monument, and the method of lettering (i.e. incised, incised inlaid with lead etc.)
- (iv) The name, address and signature of the person placing the order for the monumental

work to be undertaken, which should be the owner of the Exclusive Right of Burial. If such owner is deceased the Exclusive Right of Burial must be transferred prior to any work being undertaken. If the owner is alive but is not making the application, the applicant must provide a letter in the owner's hand confirming and authorising such application.

(v) The name, address and telephone number of the monument-mason.

**46.** The approval of the Council for any such application will be confirmed by the issue of approval, which is valid for a period of 3 months. No work should be undertaken until this has been issued and on the understanding that the work undertaken will fully comply with the details specified within the application form and the requirement of these Regulations. No permission is required for cleaning only; up-righting and re-levelling; repair of existing lettering or painting of existing inscriptions unless the monument is to be removed from the Cemetery.

**47.** Anyone who erects a monument or kerb set, or who undertakes any monumental work, within the Cemetery not in compliance with these Regulations may be compelled to remove the said monument or kerb set and pays all costs involved.

**48.** All monuments or kerb sets shall be constructed of granite, marble, slate or other hard natural stone of monumental quality, which must be durable and sound.

The Cloistered Remembrance Wall is restricted to True Nabresina stone or Slate plaques only.

**49.** A constructed headstone may be inlaid with natural stone, lead or bronze as part of the design or inscription provided such inlay shall not reduce the main thickness (body) of the headstone to less than 38mm (1½ inches) or to be raised above the surface of the headstone proper by more than 12mm (½ inch) and must be contained within the overall dimensions of the headstone.

The headstone shall not exceed 900mm (3 feet) in height (above ground level); 750mm (2 feet 6 inches) in width or be less than 50mm (2 inches) in thickness.

**50.** Where the memorial consists of a headstone and base, the headstone must be fixed so that its rear face is set 19mm (¾ inch) from the rear face

of the base or 50mm (2 inches) if the height of the headstone is less than 750mm (2 feet 6 inches).

The base may be drilled to accommodate up to two flower containers or may accommodate:-

- a) up to 4 natural stone vases not more than 300mm (12 inches) high and not more than 176mm (7 inches) square; or
- b) a natural stone tablet, not more than 300mm (12 inches) high, not more than 300mm (12 inches) wide and not more than 75mm (3 inches) thick; or
- c) up to 2 natural reconstituted, stone figures, not more than 375mm (15 inches) high, provided the stone is not covered, coated in plastic, gilded, glazed or painted.

Any such vase, tablet or figure must not extend beyond the perimeter of the base.

**51.** Alternatively a memorial may consist of:

A natural stone vase not more than 300mm x 300mm x 300mm (12 inches x 12 inches x 12 inches) fixed to a plinth not more than 350mm x 350mm x 50mm (14 inches x 14 inches x 2 inches) of the same material, fixed on a foundation of the same dimensions as the plinth; or:

A book or tablet not more than 600mm x 450mm x 75mm (24 inches x 18 inches x 3 inches) fixed to a base not more than 710mm x 450mm x 75mm (28 inches x 18 inches x 3 inches) of the same material, fixed on a foundation of the same dimensions as the base;

or:

A flat tablet not more than 300mm x 300mm x 50mm (12 inches x 12 inches x 2 inches) fixed to a foundation of the same dimensions as the base or sufficiently wide to bridge the grave and rest on undisturbed ground.

The Cloistered Remembrance Wall plaques are restricted to 10 inches x 3 inches for a single plaque or 10 inches x 7½ inches for a double plaque.

**52.** Each kerb set shall be constructed of up to 3 pieces of natural stone not less than 100mm (4 inches) deep and not less than 75mm (3 inches) wide. Corner posts may be incorporated in the kerb set but shall be constructed of a single piece of natural stone not less than 100mm (4 inches) high, or less than 100mm (4 inches) square. The dimensions of the kerb set shall not exceed 2135mm x 915mm (7 feet x 3 feet).

**ALL memorial plates, memorial stones, kerb sets, books, plaques and tablets shall be constructed and installed with the National Association of Monumental Mason's Code of Practice Jan. 1998 and subsequent amendments.**

**53.** No monument (except figures) constructed from artificial re-constituted Bath, Soft Caen, Soft York or other soft stone, or coloured marble will be permitted and memorials of metal, pottery, plastic, glass or fibre-glass are forbidden and will be removed without notice. Photographic plaques, either ceramic or other approved material, of an approved size (e.g. 120mm (4¾ inches) in height by 90mm (3½ inches) in width may be affixed to monuments, but frames of bronze or other material will not be permitted.

**54.** Any monument erected in the Cemetery shall be inscribed with its grave number, in a conspicuous position as approved by the Council, in characters of not less than 16mm (⅝ inch) in height, to match the main inscription.

**55.** Trade names may be inscribed on any monument, in a location approved by the Council in characters of not more than 12mm (½ inch) in height, to match the main inscription.

**56.** No hewing or dressing of stone, other than the cutting of an inscription or cleaning of the stone, will be permitted in the Cemetery.

**57.** All materials and equipment shall be conveyed in the Cemetery in such a manner as to prevent damage to walks, paths, roads or turfed areas and all soil or waste material shall be removed in a like manner.

Mats, boards or canvas shall be used, as directed by the Council, to achieve this end.

**58.** All persons employed, on behalf of the owner of the Exclusive Right of Burial or personal representative of such person, to erect any monument shall carry out their work strictly under the direction of the Council and shall:-

(i) At the cost of the owner, or personal representative, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of the work.

(ii) Perform the work during the normal opening hours of the Cemetery offices.

(iii) Provide their own tools and equipment and complete the work with due despatch.

**59.** The Council must be informed of the removal of any monument from the Cemetery.

Subject to approval by the Council temporary wooden crosses are permitted for a period of up to 6 months to allow the soil to settle prior to a permanent memorial being installed.

**60.** The removal and re-erection of a monument to facilitate the re-opening of a private grave or to level such grave shall be at the expense of the grave owner or their personal representative.

**61.** Any person removing a monument to permit a further interment shall either remove the same from the Cemetery, after informing the Council, or place it in a location or position indicated by the Council.

**62.** Any monument removed from a grave to facilitate an interment shall be replaced as soon as possible.

**63.** Any unauthorised monument shall be removed at the expense of the Exclusive Right of Burial owner, or their personal representative.

**64.** Any monument or memorial erected in the Cemetery remains the property and responsibility of the Exclusive Right of Burial owner or their personal representative and therefore, remains in the Cemetery at the sole risk of, and must be kept in a good state of repair by, the said owner or personal representative.

Uckfield Town Council shall not be held responsible for any damage or breakage which may occur to any monument or memorial through any cause whatsoever.

**65.** The Council undertakes safety inspections on all memorials. Where the Council is unable to trace the owner of the Exclusive Right of Burial for any graves with unsafe memorials, these memorials may be laid flat to prevent the possibility of accidents. All other memorials requiring minor work will be covered with a safety warning.

The Council reserves the right to remove any monument or memorial, which has become, or is likely to become, dangerous or which is in a derelict or unsightly condition.

## **MAINTENANCE AND UPKEEP**

**66.** After an interment has taken place in a private grave and a reasonable time has elapsed for the natural subsidence of the earth used to fill the grave, the Council shall, in accordance with the Local Authorities Cemeteries Order 1977, cause the surface of the grave to be levelled and properly covered with fresh turf, except for any area covered by any monument or memorial.

**67.** It is the responsibility of the owner of the Exclusive Right of Burial to keep the grave space free from weeds and in a tidy condition. In default the Council reserves the right to level and turf the grave.

**68.** The placing of glass containers or shades, items of pottery, tins, plastic or wire mesh fences or other items of metal, plastic or other material are forbidden and will be removed by the Council without notice from any grave or the Garden of Remembrance. Temporary Funeral Director markers are permitted.

**69.** Small annual bedding plants or bulbs may be planted on a grave, as directed by the Council, but the planting of perennials, shrubs and trees is not permitted and will be removed by the Council without notice.

In the lawn section, planting is only permitted 9 inches from the headstone.

**70.** The Council reserves the right to remove from any grave space flowers, plants, floral tributes or wreaths which have deteriorated or become unsightly and dispose of them in such manner as they deem fit.

**71.** Grass cutting will be carried out by the Council, at a frequency determined by weather conditions and by the Council. Within the Conservation Area, set aside by the Council, maintenance will differ from the normal grass cutting cycle.

## **GARDEN OF REMEMBRANCE**

**72.** Within the Garden of Remembrance, the only memorial permitted is a 300mm x 300mm x 50mm (12 inches x 12 inches x 2 inches) tablet as approved by the Council and only authorised flower receptacles are permitted.

**73.** All planting within the Garden of Remembrance is to be carried out by the Council,

unless otherwise arranged. The Council will however supply a limited number of rose bushes for purchase by prior application. Any future replacement of the said roses will be at the Council's cost.

No planting is permitted in the Cloistered Garden of Remembrance.

#### **CREMATED REMAINS**

**74.** Cremated remains may be interred, in caskets or other approved biodegradable containers, in the Garden of Remembrance or in a conventional grave in the Cemetery for which the Exclusive Right of Burial has been purchased.

There is only a facility to scatter cremated remains in the Cloistered Garden of Remembrance, subject to the appropriate fees.

#### **FEES**

**75.** Fees for all Cemetery services will be determined by the Council annually, to take effect from 1st April each year.

**76.** In determining whether fees will be chargeable at the Parishioner or Non-Parishioner rate, the last permanent address of the deceased will be used. However, the Parishioner rate will be used if it can be shown that the deceased has had to move out of the parish in order to receive the type of care which is not available in the parish.

**77.** All fees are payable in advance to the Council, except in the case of Funeral Directors and monumental masons, dealing continuously with the Council

#### **GENERAL**

**78.** All rubbish and waste material, including wreaths and floral tributes, which have been removed from graves, should be disposed of in the litter bins provided. Household waste or other waste material not generated in the Cemetery must not be placed in the litterbins.

**79.** The Council are empowered to alter or amend the foregoing Regulations at any time; to introduce further regulations as they consider necessary; to waive any of the foregoing Regulations in exceptional circumstances or to

impose temporary restrictions on any matters not specifically covered by these regulations.

**80.** All persons entering the Cemetery do so at their own risk and the Council will not accept any liability for injuries or damage sustained, howsoever caused.

**81.** On rare occasions, when a burial necessitates the re-opening of an existing grave, it may be necessary to place the excavated soil on to an adjacent grave for a short period of time. The adjacent plot will be protected with a tarpaulin and immediately following the burial the soil will be back-filled and both plots left tidy. We apologise for any distress this may cause to visitors to the Cemetery.

**82.** The Town Council accepts the kind donation of seats at the Cemetery. However the Council reserves the right to determine the siting of each seat and move seats if required. All designs and inscriptions are to be agreed in advance. The Council will maintain the benches but will not replace them.