

RULES AND REGULATIONS

**In respect of the
CEMETERIES IN GLOUCESTER
1st August 2014**

GLOUCESTER CITY COUNCIL

Rules and Regulations for the Cemeteries in Gloucester

General

The Rules and Regulations are made by the Council for the proper management of its Cemeteries in Gloucester but shall not affect the Council's rights and duties under the general law relating to Cemeteries.

The Council reserves the right to amend the Rules and Regulations in the light of changing circumstances or changes in the law.

The law relating to Cemeteries is primarily contained in various Statutes and associated Orders which may be amended or be repealed from time to time. The extracts from the Local Authorities Cemeteries Order 1977 which are contained in Schedule 2 to this document are not meant to be an exhaustive or definitive statement of the law. The selected extracts highlight certain provisions which users of the Council's Cemeteries may find helpful.

Introduction

The Cemeteries and Crematorium Service operates from Coney Hill Cemetery and provides a service for cremation and burial as well as the management and maintenance of the Old and Coney Hill Cemeteries. The service is also responsible for the safe keeping and updating of Burial and Cremation registers and plans. The Old Cemetery located in Tredworth Road dates back to 1857. The chapel in the grounds is a listed building.

The Coney Hill Cemetery dates from 1939 and has been extended with the creation of the Millennium Section in 2001, with separate sections for the Muslim and Chinese communities, Roman Catholics and members of the Church of England as well as a children's plot and a General (Non-denominational) ground. We have also created a Woodland Burial site for 'green burials'.

Gloucester City Council welcomes all visitors to our Cemeteries and Crematorium, and asks that visitors respect the peace, dignity and reverence of these facilities. We thank you in advance for your consideration.

Although Rules and regulations are a requirement for the management of our Cemeteries and Gardens, every effort has been made to avoid restricting the rights and choices of the individual, therefore these Regulations are a balance between individual rights/information and the need to regulate for safe and tidy grounds.

CITY OF GLOUCESTER

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IN RESPECT OF THE

CEMETERIES IN GLOUCESTER

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CITY OF GLOUCESTER CEMETERIES Rules and Regulations

In these Rules and Regulations unless the context otherwise requires, the words:

- “Cemetery”** means any of the Gloucester City Council Cemeteries known respectively as the Old Cemetery and Coney Hill Cemetery. and any additional cemeteries provided since the Council resolved to adopt the Rules and Regulations.
- “Council”** means Gloucester City Council.
- “Interment”** means the act or ceremony of burial.
- “Manager and Registrar”** means the Manager and Registrar of Cemeteries or their authorised representative.
- “Purchased Grave”** means a grave space in respect of which an exclusive right of burial has been granted.

1. Arrangements for an interment shall be made in advance with the Manager and Registrar. Two clear days notice must be given in the case of an interment in an earthen grave or previously constructed bricked grave and ten working days in a bricked grave requiring construction. Such notice excludes Saturday, Christmas Day, Good Friday and any other day set apart as a Bank Holiday or special Public Holiday.
2. All vaulted graves will be excavated and constructed by the cemeteries graves maintenance contractor or a sub-contractor acceptable to both the contractor and the Manager and Registrar.
3. The Notice of interment must be confirmed on a printed form which can be obtained from the Cemeteries office.
4. All fees and charges for interments must be paid prior to the funeral.
5. Interments will not take place after 3.30p.m. Monday – Thursday or after 2.30p.m. on Fridays unless permission has been obtained from the Manager and Registrar.
6. Interments are not normally permitted on Saturday, Sunday, Good Friday, Christmas Day, Bank Holiday or special Public Holiday.
7. Interments will not take place on Saturdays, except in the case of emergencies or at the discretion of the Manager and Registrar.
8. The Manager and Registrar should be notified as soon as possible if a large number of persons are expected to attend a funeral. A large number would be in excess of 100.
9. The appropriate certificate of disposal issued by a Registrar of Births and Deaths or the Coroner’s Order for Burial must be given to the Manager and Registrar either at the same time as giving notice of the proposed interment or when the funeral enters the Cemetery.

10. A certificate issued by the appropriate Cremation Authority will be required for the disposal of cremated remains.
11. Any Funeral corteges entering the Cemetery shall be directed to the grave by a member of the cemetery team.
12. The time appointed for a funeral to take place is the point at which the funeral cortege is to arrive at the entrance gate of the Cemetery. It is essential that strict punctuality should be observed. If a funeral is late the service will take place as soon as possible thereafter at the discretion of the Manager and Registrar.
13. The sites of all graves will be determined by the Manager and Registrar. All graves and vaults shall be excavated and opened by the Council's contractor and no grave or vault will be excavated beyond a depth of 2.89 metres (9 foot 9 inches).
14. The body of a deceased person will not be accepted for interment unless it is enclosed in a coffin or container. Coffins, normally made of wood, shall be used in all graves, and must bear a name plate establishing the identity of the body contained therein. Coffins made of any material other than wood must have the prior written approval of the Manager and Registrar.
15. A purchaser or owner for the time being of the Exclusive Right of Burial in a grave shall not dispose of such right without the consent of the Manager and Registrar, and every transfer of such right shall be prepared by the Manager and Registrar at the expense of the applicant, to ensure that the record of grave ownership can be verified with the burial records held by the Burial Authority.
16. Growing shrubs, plants or flowers must not be taken out of the Cemetery without the consent of the Manager and Registrar. The Council reserves the right to prune, cut down or remove any shrubs, plants, flowers or wreaths which have become unsightly or overgrown.
17. All dead flowers and wreaths, garden refuse or litter must be removed to the nearest waste basket by the grave owner or person having responsibility for the grave, or in their default, by the Manager and Registrar.
18. Any article placed upon a grave may not be taken from the Cemetery without the permission of the Manager and Registrar.
19. Memorials are not permitted on common graves but may be erected on Purchased Graves subject to the permission of the Manager and Registrar and compliance with these Rules and Regulations.
20. Prior notice must be given to the Manager and Registrar before removing a memorial or carrying out any work in connection therewith.
21. The Council may remove memorials from purchased graves when the period of the Exclusive Right of Burial granted by the Council has expired.
22. Drawings and specifications of all memorials or alterations thereto, and any inscription thereon, shall be submitted in duplicate on the prescribed form which can be obtained from the Manager and Registrar. On approval a permit will be issued. No work shall be carried out without the written approval of the Manager and Registrar.

23. Vases may be placed upon common graves but may be removed at the discretion of the Manager / Registrar.
24. Grave spaces will be turfed by the Council's contractor at ground level in October/November after an interment, provided sufficient time has elapsed for the grave to settle. This would normally be at least 5-6 months later.
25. All graves shall be flush with the ground after the period of settlement has taken place, grave mounds are not allowed.
26. Memorials, blocks and vases of quarried material shall have the number of the grave space cut into the base of the headstone, in a position approved by the Manager and Registrar. Trade inscriptions other than the supplier's name and district are not permitted.
27. Memorials, blocks any vases and bases associated with them must be of best natural quarried material and all dowels shall be of galvanised iron. Memorials may not be of metal, concrete or synthetic material. Memorials must be fixed in the Cemetery in accordance with the current Code of Practice from NAMM (National Association of Memorial Masons). Only approved wooden memorials will be allowed into the Cemetery.
28. Headstones shall not exceed 3 feet in height above ground level, 2 feet 6 inches in width and 5 inches in thickness.
29. Stone bases for the erection of headstones shall not exceed 2 feet 6 inches in length, 1 foot 6 inches in width and 5 inches in thickness.
30. All memorials without bases are to be fixed into a hardstone or precast foundation slab not less than 3 feet by 1 foot 6 inches in size and not less than 3 inches below ground level. All memorials with bases to be fixed on a Hardstone or precast foundation slab of the same dimensions. Only a ground anchor-fixing system is to be used.
31. Plants /flowers /shrubs/bulbs may be planted in a border 3 foot in width and 2 feet in depth which may be provided on the graveside of and adjoining the place in which any such headstone would normally be erected. TREES, of any description, ARE NOT ALLOWED. Any planting that is not maintained will be removed by the Cemetery staff and replaced with turf.
32. Vases must not be larger than 12 inches by 10 inches. A memorial tablet must not exceed 18 inches by 12 inches by 4 inches.
33. Memorials will be admitted into the Cemetery during normal working hours providing arrangements have been made for the payment of the prescribed fees. Twenty-four hours prior notice must be given to the Manager and Registrar before fixing any memorial.
34. Ornaments of any description including solar lights must be placed within the planting boundary 3ft x 2ft and are left entirely at the grave owner's risk.
35. Any planting exceeding 3ft x 2ft will be removed by the Council.
36. Kerb sets/Cover slabs and chippings are permitted. No chippings shall be placed on the grave without being enclosed within a kerb set. These must be installed by one of the Council's Registered Monumental Masons and must be of natural quarried material. No

homemade kerb sets, plastic/wooden fencing or metal memorials will be allowed. Any of these items placed on the graves will be removed by the Council.

37. Hewing or dressing of memorials will not be permitted within the Cemetery and all materials shall be conveyed in such a manner as will avoid annoyance to persons or damage to the grounds and walks. Monumental Masons must remove all surplus earth, refuse and materials after the fixing a memorial to a place directed by the Manager and Registrar to, leave everything in a clean and tidy condition.
38. All memorials shall be kept in repair by the owner and if not, may be repaired or removed by the Council at its discretion and, where possible, at the expense of the owner.
39. The Council will exercise proper care during maintenance operations, but will not accept responsibility for any damage that these operations may cause except in the case of their negligence.
40. The permission of the Manager and Registrar must be obtained before photographing or videoing a funeral procession or graveside proceedings in the Cemetery. No photography/videoing for commercial purposes may be carried out in the Cemetery.

PLEASE NOTE

On occasions a family grave may be covered by a board in order that soil from a newly excavated grave can be collected. This will be removed as soon as is practicable after the burial has taken place. Any flowers on the grave will be carefully placed to one side and replaced after the service.

41. Vehicles shall only use the main drives of the Crematorium grounds, must not exceed 10 mph and must park where indicated by the Manager and Registrar who shall have power to exclude from the Crematorium grounds any vehicle which they consider unsuitable.
42. All Visitors must keep to the drives and paths provided except when visiting a grave and must not touch or remove any shrubs, plants and flowers.
43. Any child who in the opinion of the Manager and Registrar is under the age of 12 years will not be admitted into a Cemetery unless under proper control and accompanied by an adult.
44. All members of the public with dogs entering the cemetery must keep their dog on a lead at all times, and be responsible for clearing up any excrement.
45. All visitors must conduct themselves in a quiet and orderly manner within the Cemetery grounds.
46. Members of the public are not allowed to canvass or solicit orders in the Cemetery.
47. Employees of the Council are not allowed to receive a gratuity.
48. Musical instruments or sound reproducing equipment shall not be used in the Cemetery without the permission of the Manager and Registrar.

49. A Register of Burials shall be kept at the Manager and Registrar's office where searches may be made and certified extracts obtained on payment of the prescribed fees.
50. Any rules and regulations previously in force in respect of the Cemetery are hereby superseded at the date these Rules and Regulations came into force.
51. The Council may from time to time make alterations to these Rules and Regulations and from time to time they may be superseded by new rules and regulations to reflect practices at the time and changes in the law. Any Right or Interment in a grave will be subject to these Rules and Regulations and any others that may replace them.

Regulations for Muslim Burials

52. Interments will take place in the area set aside for members of the Muslim Community at Coney Hill Cemetery.
53. A minimum of 24 hours notice must be given to the Manager and Registrar when making arrangements for an interment. Special arrangements may be made for Saturday and Sunday burials.
54. All enquiries and arrangements for interments, etc., to be made to the Manager and Registrar, Cemeteries Office, Coney Hill Cemetery, Gloucester, during the times of public business.
55. All Graves will be dug to hold one interment and grave spaces shall be of an area of 2.743 metres (9 feet) by 1.219 metres (4 feet).
56. Representatives of the deceased may, at their own risk, backfill the grave after an interment upon completion of a form of indemnity.

Schedule 1

CEMETERY OPENING TIMES

1. The Coney Hill and Tredworth Road Cemeteries will be open to visitors:

Weekdays 8.00am to 6.00pm (*or sunset, whichever is the earlier*)
Sundays 9.00am to 6.00pm (*or sunset, whichever is the earlier*)
Good Friday and Easter Monday
Christmas Day 9.00am to 6.00pm (*or sunset, whichever is the earlier*)

The Old Cemetery will be open to visitors:

Weekdays 8.00am to 6.00pm (*or sunset, whichever is the earlier*)
Sundays 9.00am to 6.00pm (*or sunset, whichever is the earlier*)
Good Friday and Easter Monday
Christmas Day 9.00am to 6.00pm (*or sunset, whichever is the earlier*)

2. The Manager and Registrar's office at Coney Hill Cemetery will normally be open for public business from 9.00am to 4.30pm Monday to Friday, except on the public holidays listed below.

Saturdays and Sundays of each week)
New Year's Day)
Good Friday and Easter Monday)
May Day
Spring Bank
August Bank) CLOSED
Christmas Day)
Boxing Day)

24 hour radar and pedestrian access. Vehicular access 8.00am to 6.00pm (or sunset, whichever is the earlier) and any other times that may be determined from time to time by the Council.

Schedule 2

AMENDED EXTRACTS FROM THE LOCAL AUTHORITIES' CEMETERIES ORDER 1977

For the purpose of these Rules and Regulations the following extracts from the Local Authorities' Cemeteries Order 1977 are reproduced, excepting references to Article 19 and the definitions of "Burial Authority" and "Cemetery", which are specific to Gloucester.

- "Burial"** includes:
- the interment of cremated human remains;
 - the interment of the bodies of stillborn children or of the cremated remains thereof; and
 - burial in a vault.
- "burial authority"** means the Gloucester City Council
- "cemetery"** means any one of the cemeteries which belong to or have been provided by the said Council, and known respectively as the Old Cemetery and Coney Hill Cemetery and any additional cemeteries provided since the Council resolved to adopt these Rules and Regulations
- "tombstone"** includes kerbs
- "walled grave"** means a grave the sides of which are lined with walls

Article 3 – General powers of Management

Subject to the provisions of this order, a Burial Authority may do all such things as they consider necessary, and from time to time improve it, and shall keep the Cemetery in good order and repair, together with all buildings, walls and fences thereon and other buildings provided for use therewith.

Article 4 – Layout, repair and access

A Burial Authority may enclose, lay out and embellish a Cemetery in such manner as they think fit, and from time to time improve it, and shall keep the Cemetery in good order and repair, together with all buildings, walls and fences thereon and other buildings provided for use therewith.

Article 5 – Consecration, and setting apart for particular denominations

A Burial Authority may at the request of a particular denomination or religious body prohibit the interring or scattering of cremated human remains in or over a part of the Cemetery set apart for their use.

(Any person who contravenes this Article shall, by virtue of Article 19 of this Order, be liable on summary conviction to a fine.)

Article 10 – Grant of burial rights

No body shall be buried, or cremated human remains interred or scattered, in or over any grave, walled grave or vault in which an exclusive right of burial for the time being subsists except by or with the consent in writing of the owner of the right.

(Any person who contravenes this Article shall, by virtue of Article 19 of this Order be liable on summary conviction to a fine.)

Article 14 – Cost of removal of unauthorised memorials

If a Burial Authority removes from a Cemetery any tombstone or other memorial placed therein otherwise than in the exercise of a right granted by, or otherwise with the approval of, the Burial Authority or any predecessor of theirs, the Burial Authority may recover the cost thereby incurred by them:

from the person to whose order the tombstone or memorial was placed;
within two years from the placing of the tombstone or memorial, from the personal representative of such person

as a simple contract debt in any court of competent jurisdiction.

Article 18 – Offences in Cemeteries

No person shall:

wilfully create any disturbance in a Cemetery;
commit any nuisance in a Cemetery;
wilfully interfere with any burial taking place in a Cemetery;
wilfully interfere with any grave, or vault, any tombstone or other memorial, or any flowers or plants on any such matter; or
play at any game or sport in a Cemetery.

(Any person who contravenes this Article shall, by virtue of Article 19 of this Order, be liable on summary conviction to a fine.)

No person, not being an officer or servant of the Burial Authority or another person so authorised by or on behalf of the Burial Authority shall enter or remain in a Cemetery at any hour when it is closed to the public.

Schedule 2, Part 1 – Exercise of Rights

1. No Burial shall take place, no cremated human remains shall be scattered and no Tombstone or other memorial shall be placed in a Cemetery, and no additional inscription shall be made on a Tombstone or other memorial, without the permission of the officer appointed for that purpose by the Burial Authority.
2. No body shall be buried in a grave in such a manner that any part of the coffin is less than 0.9144 metres (three feet) below the level of any ground adjoining the grave: provided that the Burial Authority may, where they consider the soil to be of suitable character, permit a coffin made of perishable materials to be placed not less than 0.6096 metres (two feet) below the level of any ground adjoining the grave.
3. 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 152.4 millimetres (six inches) thick.

4. When 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.
5. Every Walled Grave or vault shall be properly constructed of suitable materials.
6. Within 24 hours of any burial in a Walled Grave or vault, the coffin shall be:

embedded in concrete, and covered with a layer of concrete not less than 152.4 millimetres (six inches) thick; or
enclosed in a separate cell or compartment of brick slate, stone flagging or precast concrete slabs of a 1:2:4 mix, in any case not less than 50.8 millimetres (two inches) thick, in such a manner as to prevent, as far as may be practicable, the escape of any noxious gas from the interior of the cell or compartment.
7. Any person to whose order a body is buried in a grave in respect of which an exclusive right of burial has been granted shall, as soon as conveniently may be after the subsidence of the earth has been completed, cause the surface of the grave to be covered with any Tombstone or other memorial in respect of which a right has been granted by the Burial Authority or any predecessor of theirs, or with fresh turf, or, where the Burial Authority permits, with such, flowering or other plants, or in such other manner, as may be permitted. (Any person who contravenes this Article shall, by virtue of Article 19 of this Order, be liable on summary conviction to a fine.)