

Decision under Delegated Powers

Cemetery Rules and Regulations for Nanpantan Cemetery, Loughborough

Officer Making the Decision

Head of Contracts (Leisure, Waste and Environment)

Recommendation

That the Cemetery Rules and Regulations for Nanpantan Cemetery (Appendix A) are adopted.

Reason

To provide a set of Rules and Regulations for the new cemetery at Nanpantan Road.

Authority for Decision

Chapter 8 SCHEME OF DELEGATION TO OFFICERS

8.3 Delegation of Executive functions

Delegation to the Head of Contracts, Leisure, Waste and Environment

Burials

10. To grant, assign and sell burial rights.
11. To agree the extension of the five-year period of qualification for the “resident” rate for burial in cases where the person had died in hospital outside the Borough but had, immediately prior to hospitalisation, been resident in the Borough.
12. To manage and maintain the Council’s cemeteries.

Decision and Date

Agreed



Matt Bradford
Head of Contracts (Leisure, Waste and Environment)
6th March 2023

Background

The Council has constructed a new cemetery at Nanpantan Road and a set of Rules and Regulations are required in order to regulate the use of the cemetery by residents, contractors and other parties.

The rules and regulations cover the following areas:

- Notice of Interment

- Ministers and Clergymen
- Alterations to Funeral Arrangements
- Disposal Certificate Requirements
- Arrival of the Funeral Cortege
- Exhumation
- Cemetery Records
- Purchasing a Private Grave Space
- Allocation of Grave Spaces
- Purchased Graves
- Un-purchased Graves
- Type of Burial Areas
- Burial Area Descriptions
- Burial Excavation Procedures
- Depth of Graves
- Interment of Cremated Remains Caskets
- Scattering of Cremated Remains
- Grave Re-instatement
- Removal of Floral Arrangements
- Memorials
- Memorial Installation within Areas
- Approval of Memorials for Purchased Graves
- Memorial Permit Conditions
- Removal of Memorials
- Maintenance of Memorials
- Fees and Charges
- Behaviour in Cemeteries
- Allowances for Dogs in Cemetery
- Advertisements or Selling
- Alterations to these Regulations

Financial Implications

None

Risk Management

None

| | |
|-------------------|------|
| Key Decision: | No |
| Background Papers | None |

**Cemetery Rules and Regulations for:
Nanpantan Cemetery
Nanpantan Road
Loughborough
Leics
LE11 3TN**

Rules and Regulations effective from 8th March 2023

Burial Administration
Charnwood Borough Council
Council Offices
Southfield Road
Loughborough
Leics
LE11 2TX
Tel: 01509 634704
Email: cemeteries@charnwood.gov.uk

<http://www.charnwood.gov.uk/pages/loughboroughcemetery1>

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1. Introduction

All Local Authority managed cemeteries are subject to standards and conditions known as Cemetery Rules and Regulations. These are designed to inform all cemetery users of the aspects of the management of the cemeteries and the reasonable requirements applicable to them.

The regulations include the statutory requirements contained within the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977 together with any other relevant legislation that governs this service.

Interpretation of Terms

Throughout these Rules and Regulations:

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“The Council” means Charnwood Borough Council

“Cemetery” means Nanpantan Cemetery Nanpantan Road, Loughborough

“Purchased Grave” means any earthen grave, where the Exclusive Right of Burial (Subject to these Regulations) has been granted by the Council

“Unpurchased Grave” means any earthen grave, where the Council has not granted The Exclusive Right of Burial

“Memorial” means any ornament erected, constructed, placed or laid upon any purchased grave space

“Deeds” means the document issued by Charnwood Borough Council detailing the Exclusive Rights of burial for a grave space

“Deed Holder” means the person who the Exclusive Rights have been granted to

“Grave Space” means the number of the grave space in the records of the Council

Administration Address

The Cemetery Office
Charnwood Borough Council
Southfields
Loughborough
Leics
LE11 2TT

Telephone: 01509 634704

Email: cemeteries@charnwood.gov.uk

2. Notice of Interment

All interment requests must be made on the Notice of Interment form supplied by the Council. The details provided on the form must be clear and concise and completed in accordance with the Rules and Regulations contained herein.

The Notice of Interment and payment must be delivered to delivered to the office at least two working days (48 hours) prior to the time the interment is due to take place. Interments at shorter notice will, if possible, be arranged in exceptional circumstances or religious requirements.

3. Ministers and Clergymen

A burial can take place with or without a religious service. It is the responsibility of the funeral director or bereaved family to arrange for a Minister or other persons authorised to officiate at the burial.

4. Alteration to Funeral Arrangements

When a Notice of Interment has been accepted no alteration will be permitted except in regard of the time of the burial. **In this case written notice must be provided no later than one working day (24 hours) before the interment is due to take place.**

Any requests, which have been made on the telephone, must be immediately confirmed in writing.

The Council will not be responsible for any misunderstandings which may arise as a result of a telephone instruction only.

Any additional expense incurred by the Council as a result of incorrect information having been supplied, will be charged to the person making the application.

5. Disposal Certificate Requirements –

No funeral can take place without a Certificate for Disposal or the Coroners Order for burial. The appropriate documentation must be delivered to the Council Offices before the interment can take place. Failure to provide the necessary documentation will result in the delay of the burial until the certificate can be produced.

6. Arrival of the Funeral Cortege

The time stated for a funeral on the notice of interment must be punctually observed to prevent inconvenience or one funeral interfering with another. Any funeral arriving before the time appointed may have to wait until the time arranged.

Any funeral arriving after the appointed time must act under the direction of the Council representative as to when the burial may proceed.

All funeral corteges are under the control and direction of the Council representative.

The Council representative will check the coffin plaque details against the appropriate paperwork from the cemetery office to ensure correctness.

Car parking spaces are available in the Cemetery Car Park and at Nanpantan Road Sports Ground Car Park. All vehicles shall be parked in marked bays and shall not be placed on grass or planted areas. Vehicular access to the internal roads will be restricted to the funeral cortege. Mourner's vehicles will only be permitted onto the internal cemetery roads in exceptional circumstances by prior permission from the Council.

The Council shall not accept responsibility for loss or damage to any vehicle parked in the Cemetery or Nanpantan Road Sport Ground. All vehicles are left at the owner's risk.

If it is anticipated that a large number of persons may be expected to assemble at any one burial, this must be reported to the cemeteries office the day before the proposed burial in order for arrangements to be made accordingly.

All persons attending a burial shall leave the graveside after a reasonable period following the conclusion of the service or if requested to do so by the Council representative.

7. Exhumation

Once interred, no human remains (including cremated remains) shall be removed from the grave without specific permission of the Cemetery Manager and the production to the Cemetery Officer of the Statutory Faculty or Licence to Exhume.

8. Cemetery Records

As soon as is reasonably practicable all details relating to a burial are recorded within registers provided by the Council. Documentation relating to new graves is sent direct to the purchaser.

The graves register and plans relating to the burial sections within Nantpantan Cemetery are available for public perusal at the Council Offices, Southfields, Loughborough. Copies are available upon request.

Any person who wishes to inspect the graves register or cemetery plans must first make an appointment to do so.

9. Purchasing a Grave Space

The Council will provide a document titled 'Exclusive Right of Burial' upon receipt of the purchase of a new grave. This document is proof of ownership. This confers no rights other than that of burial and erecting a memorial on the grave space with the permission from the Council.

This document must be produced to the Council when a request is made to re-open the grave.

The period of which the Exclusive Right of Burial is granted is 100 years. This means that once the title deed period has expired families do have the option of extending this grant for a further period. Upon the expiry date the ownership of the grave space will revert back to the Council if the family have expressed no desire to extend the grant period.

The pre-purchasing of graves will be permitted. Plots will be allocated on a next in line basis. This means that purchasers will not be able to choose individual plots.

10. Allocation of Grave Spaces

The choosing of the position of a new grave space is managed by the cemetery office and will be on a next in line basis. Burials will only be allowed in designated areas previously laid out for burial. These areas are identified on the cemetery plans.

11. Purchased Graves

No grave in which the Exclusive Right of Burial has been purchased shall be opened without the signature of the owner or his/her next of kin or assignees.

12. Un-purchased Graves

An un-purchased grave is a grave which there is no intention to purchase the 'Exclusive Rights of Burial', no memorial will be allowed on and the interment of an unrelated person(s) will be permitted in the future.

13. Type of Burial Areas

The Cemetery currently provides burial areas to cater for the following:

Multi Faith; Muslim, Babies; Natural Burials.

14. Burial Area Descriptions

Personal items of testament left on the traditional burial area are the sole responsibility of the grave owner. The Council are not responsible for the loss of such items. In view of this possibility the placing of such personal items is not recommended.

Traditional Burial Areas: grave size 8 ft x 4 ft

Grave owners are advised that the grave space can be tended to on an individual basis and flowers, or bedding plants can be provided appropriately by the grave owner.

It is Council policy that items, such as man-made fencing/kerbing, are not permitted either as a temporary or permanent measure.

The placing of stone chippings or gravel will only be permitted on fully kerbed graves.

No shrubs or trees must be planted on any grave spaces.

The Council will, without notice to the grave owner, take over the maintenance of any grave that is not being regularly maintained.

Lawned Areas Burial Areas: grave size 8 ft x 4 ft

Memorials are permitted on baby graves but must adhere to the dimensions laid out in section of 21 of these Rules and Regulations. Memorials are permitted on lawned graves but must adhere to the dimensions laid out in section of 21 of these Rules and Regulations. It is Council policy that no item of whatever description is allowed to be placed upon the actual grave space in the lawned area. These items include fencing, kerbing, bedding plants, vases, flower displays, windmills, food, drink etc, either as a temporary or permanent measure. Wooden crosses can be used as a temporary marker.

The Council reserves the right at any time to remove any unauthorised item placed upon the grave space.

Baby Section: grave size 4 ft x 2 ft

It is Council policy that no item of whatever description is allowed to be placed upon the actual grave space. These items include wooded crosses, fencing, kerbing, bedding plants, vases, flower displays, windmills, balloons, toys etc. either as a temporary or permanent measure.

The Council reserves the right to take over the grave maintenance within a traditional burial area without notice to the grave owner where it has been determined that the grave has not been suitably maintained by the grave owner.

Natural Burial Areas grave size 8 ft x 4 ft

A shallow burial is the quickest way for a body to naturally degrade. Therefore, only single depth graves will be allowed.

Only interments using environmentally friendly coffins, caskets (without plastic or metal furniture) or shrouds are permitted. Only environmentally friendly clothing must be used to clothe the deceased and any personal effects placed within the coffin/casket must also be environmentally friendly.

Graves must not be personalised with markers, monuments, vases, statues, stones, fences, or other such items. A simple plaque may be used to mark the grave. A picture of the type of plaque allowed can be seen in the table below. No other marker may be used.

Floral Tributes and flowers placed on graves must not be wrapped in cellophane, tied with florist ribbon, in oasis, or plastic trays, as these items are not biodegradable. Cut flowers are welcome. Floral tributes and flowers placed on graves will be removed after a reasonable period.

15. Burial Excavation Procedures

All grave spaces are excavated by trained cemetery personnel.

No grave shall be dug or excavated by any other person unless appointed by the Council. The final dressing of the grave space will normally be completed one hour before the cortege is expected to arrive.

Adjacent grave spaces will be required for the placing of spoil. The grave will be fully reinstated to its original appearance once the interment has taken place.

Requests for personal involvement during these procedures will be considered upon request. Requests must be made to the Council before the interment is due to take place.

16. Depths of Graves

No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave. Unless, provided that the Burial Authority consider the soil to be of suitable character, permit a coffin made of perishable materials to be placed not less than two feet below the level of the ground adjoining the grave.

The coffins in the grave must be separated by means of a layer of earth not less than six inches in thickness.

When a grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove them from any soil.

17. Interment of Cremated Remains Caskets: grave size 2 ft x 2 ft

We have a separate area for the interment of cremated remains. Each grave space can accommodate up to two lots of ashes.

Where a further full coffined burial is required, the cremated remains casket will be positioned to a sufficient depth to ensure that the casket is not disturbed in any way in the future.

18. Scattering of Cremated Remains

There is an area in the cemetery designated for the scattering of cremated remains. No scattering of cremated remains can take place unless the Council has first received the appropriate certification.

All fees and arrangements for the scattering of cremated remains must be made through the Council Office.

19. Grave Reinstatement

Whenever an interment has taken place, the grave will continue to settle for approximately six months or longer depending upon soil conditions. All graves in the lawned section will be turfed over.

During this time cemetery personnel will level the grave with topsoil as and when required. Graves can also settle unexpectedly during inclement weather conditions, if this happens arrangements will be made to level the grave as soon as possible.

20. Removal of Floral Arrangements



Cemetery personnel will remove all funeral flowers and oasis displays when they become unsightly.

Christmas wreaths are removed by cemetery personnel after the Christmas period, normally February/March.

21. Memorials

Burial Memorials shall be of natural stone, marble or granite.
Natural burial markers shall be natural wood with a slate plaque.

Memorials of concrete, wood, pottery, glass, metal or fiberglass are not permissible.

| | | |
|--|---|---|
| <u>Adult Burial Plot Memorial</u> These are maximum measurements. | Height Base Foundation slab | 3ft (91cm) 2ft 6ins by 18ins (76cm by 46cm) 3ft by 20ins (91cm by 51cm) |
| <u>Adult Kerb Set</u> All kerbsets must be the exact measurements as shown. | Kerb Kerb foundation slab | 7ft 3ins by 3ft 3ins (221 cm by 99cm) 7ft 6ins by 3ft 6ins (229 cm by 107cm) |
|  (As pictured) | <u>Ashes Memorial</u> Only splayed base memorials of this design (with or without flower vase) are allowed on Ashes plots | Base Foundation slab 18" (46cm) x 18" (46cm) 20" (51cm) x 20" (51cm) |
|  | <u>Natural Burials</u> Markers should be natural wood with a slate plaque. (as pictured) | Height Slate Plaque 18" (46cm) 6" x 4" (15cm x 10cm) |
| <u>Children's Memorials</u> These are maximum dimensions | Height Base Foundation slab | 2ft (61cm) 18ins by 12ins (46cm by 30cm) 2ft by 18ins (61cm by 46cm) |
| <u>Children's Kerb Set</u> All kerbsets have to be the exact measurements | Kerbstone Kerb foundation slab | 4ft 6ins by 2ft 6ins (137cm by 76cm) 4ft 9ins by 2ft 9ins (145cm by 84cm) |

22. Memorial Installation within Areas

The graves are in rows back-to-back.

23. Approval of Memorials for Purchased Graves

Memorials are only allowed on purchased graves.

All memorials are subject to Council approval prior to being installed within the cemeteries. These regulations contain the required standard of the installation of the memorial and the maximum permissible sizes of memorials that can be authorised.

All memorial work undertaken must be in accordance with the National Association of Memorial Masons (NAMM) Code of Working Practice.

The grave space and section number must be permanently etched at the base of the monument.

All applications should be made to the Council on the appropriate memorial application form that the Council provides. The application should indicate to the Council full details on how the memorial is to be installed, including the method of fixing used to secure the memorial to the foundation base.

Each application must include a detailed drawing showing all dimension sizes, the type of material to be used and full inscription details.

All memorials on the cremated remains plot need to be positioned in the middle of the plot to keep in line with other memorials.

All memorial applications will incur a memorial fee, payable to the Council.

24. Memorial Permit Conditions

The Memorial Mason will receive a permit notice allowing for him to carry out the work.

It is a condition of the memorial permit that all memorials installed within the cemetery must first have the grave number and section letter clearly and conspicuously inscribed upon it **before** installation. Memorial Masons that do not abide by this condition will be refused installation.

The Memorial Mason will be responsible for leaving the grave area in a clean and tidy condition once work is completed and is responsible for any damage that may be caused to any surrounding ground or memorial as a direct result of the installation.

The Council reserves the right to remove and to reinstate any memorial or surrounding ground at the Memorial Mason's expense.

The Council will remove at the expense of the grave owner any memorial that has been installed without the necessary authorisation.

25. Removal of Memorials

Memorials are not permitted to be installed or removed during the weekends.

No memorial shall be removed from the cemeteries without the permission of the grave owner or their representative and without the Council being informed as to the whereabouts of the memorial.

The Council reserves the right to:-

- ✓ Remove a memorial headstone from a grave to allow for adjacent graves to be excavated. As soon as the funeral has taken place the headstone will be fully reinstated by the Council.

- ✓ Lay flat or make safe any memorial headstone that has been identified as unsafe at the time of checking adjacent headstones prior to excavation operations.
- ✓ Remove any unauthorised memorial from a grave.

26. Maintenance of Memorials

All memorials are the **sole responsibility** of the grave owner.

Grave owners must ensure that the memorial is kept in good repair. The Council will periodically inspect the cemetery to determine the condition of memorials. Any memorial classified as unsafe will be reported to the grave owner in order for them to arrange immediate repair. If this request is not complied with within three months, the Council may lay flat the memorial to remove the danger of instability.

The Council has the power to remove any memorial which they deem objectionable or of unauthorised type or size or which may have fallen into decay or is classified unsafe.

The Council strongly recommends all grave owners obtain an appropriate insurance to protect the memorial from unforeseen circumstances.

The Council will not be responsible for any damage/theft or vandalism or any other circumstances beyond the control of the Council.

27. Fees and Charges

A table of fees is available upon request. The Council reserves the right to revise these fees and charges.

28. Behaviour in Cemeteries

All persons shall conduct themselves in a quiet, orderly and respectful manner and no person shall commit any nuisance within the cemetery or wilfully interfere with any burial taking place. Any person, who wilfully damages, defaces or destroys any property or causes any nuisance within the cemeteries will be liable to prosecution.

29. Allowances for Dogs in Cemetery

A person shall not allow any dog belonging to them or in their charge to enter the cemetery unless it is on a lead.

Persons visiting the cemetery with dogs must ensure that the dog is kept under strict control at all times. Dog faeces must be removed and deposited in the appropriate and responsible manner by the dog owner.

Any person who does not abide by this ruling will be liable to prosecution under the Council's Public Spaces Protection Order - Dog Control.

30. Advertisements or Selling

No person shall be allowed to distribute business cards or advertisements within the cemeteries.

31. Alterations to these Regulations

The Council reserves the right from time to time to make alterations in or additions to these Rules and Regulations and Cemetery Charges specified herein.

