

# Hutton Henry & Station Town Parish Council

Date Approved: February 2023

Date for Review: February 2025

## Rules & Regulations for Station Town Cemetery

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*Please note that these Rules and Regulations are set by the Parish Council and any updates precede all previous Rules and Regulations.*

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## General Regulations

### **1. Access of Use**

The Cemetery Grounds will be open to the public 24hrs.

The Council reserves the right to:

- Close or limit access to the whole or any part when necessary
- Withdraw the use of the cemetery from any person or organisation.

### **2. Conduct within the Cemetery**

Whilst in the Cemetery all persons shall comply with any directions given by the Cemetery Groundsperson or a council employee.

- Children under 14 years of age will not be allowed in the Cemetery grounds unless accompanied by an adult.
- Dogs must be always kept on a lead, and it is the owners responsible to clean up after their dog. Free dog poo bags are available from the Groundsperson.
- No vehicles shall be allowed in the cemetery, except for funeral directors, contractors, and stonemasons. Disabled access will be given subject to reasonable request.
- Skateboarding, roller skating and similar activities are not permitted in the cemetery.
- Horses are not permitted in the cemetery except those used to pull a hearse.

In accordance with the Local Authorities Cemeteries Order 1977 it is an offence to:

- Wilfully destroy, damage or deface any building or property in the Cemetery Grounds or cause disturbance or nuisance.
- Interfere with any burial taking place.
- Interfere with a grave, memorial or any flowers or plants.
- Play any game or sport in the cemetery.
- Enter or remain in the Cemetery when it is closed to the public.

In addition to the offences above, the following activities are prohibited within the cemetery:

- The use of threatening, offensive or abusive language towards any visitor, contractor, or member of staff
- Undertaking commercial filming or photography or any commercial activity without prior authorisation from the council

Any person who contravenes these regulations may be required to leave the Cemetery grounds and may be excluded from re-admission for such period as the Council may determine. In the case of Funeral Directors or Memorial Masons the exclusion may extend to their employees in connection with any work or duty within the Cemetery.

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## **Burial Arrangements**

A minimum of three working days' notice (not including Saturdays, Sundays, or public holidays) of any proposed interment must be given to the Parish Clerk/Cemetery Groundsperson in writing on the form prescribed by the Council.

Interments shall normally take place during the following hours:

Monday – Friday 10.00am - 3.00pm

Saturday interments may be available at an additional cost and would be subject to the discretion of the Parish Clerk.

### **1. Fees and Charges**

All fees and charges must be paid in advance to the Cemetery Groundsperson or Council Clerk (a table of fees and services is in the appendix 1).

### **2. Acceptance of Interment**

No burial will be allowed to take place unless the appropriate Registrar, Cremation or Coroners' disposal certificate has first been handed to the Cemetery Groundsperson or Council Clerk.

The body of any deceased person will not be accepted for interment unless it is enclosed within a coffin, casket or container of a type and style approved by the Council.

The name of the deceased must be suitably inscribed on the coffin, casket, or container.

A coffin, casket or container or any part thereof shall not be removed from the Cemetery after the deceased has been conveyed there for burial.

All graves will be prepared by a Council approved grave digger who shall determine the depth of grave, only one adult body may be buried in any grave space.

The person arranging the funeral must supply sufficient bearers to convey the coffin from the hearse to the graveside.

Funeral Directors will be requested to provide their risk assessments, safe systems of work and staff training information together with a copy of their public liability insurance certificates.

**Where an Exclusive Right of Burial has been purchased no grave will be opened for an interment, or the burial or the scattering of cremated remains without the written consent of the owner of the Right. If the owner is deceased an indemnity in the form prescribed by the Council must be completed by the assignee of the right or the personal representative of the deceased.**

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## **3. After the Burial**

Backfilling of graves will not normally begin until the mourners are making their way out of the cemetery.

Graves are left slightly mounded to allow for settlement and flowers delivered at the time of the burial will be carefully placed on the grave by the person who has arranged the funeral once the backfilling has been completed. Seeding over of the grave plot will be carried out by cemetery staff following a period of settlement over a minimum period of twelve weeks during which time the grave will be topped up with soil as necessary.

Settling of graves may take longer than twelve weeks depending on weather and ground conditions.

Any plants or items found on the area to be seeded will be carefully relocated to the memorial area at the head of the plot to allow seeding to take place.

Mourners are respectfully advised not to place an objects on the grave during this settlement time as weather and ground conditions can result in rapid overnight settlement.

Grant holders are requested to remove any wreaths or flowers that were placed on a grave after the funeral as soon as they become wilted. Council employees may remove wilted flowers or wreaths which have not been removed by visitors.

## **4. Interment and Scattering of Ashes**

Ashes shall only be scattered, strewn, or interred in a location agreed in advance by the Council at a predetermined time, day, and date in consultation with the next of kin and Executor. Only Council employees are permitted to place cremated remains in the location as agreed.

All laws relating to the disposal of cremated remains must be always adhered to. Next of Kin and Executors should be aware that once ashes have been scattered, strewn, or interred this is their final resting place. It is not possible to retrieve them without license from the Home Office and/or a Bishops Faculty.

## **5. Grave Digging**

Only trained gravediggers will be allowed to dig a grave in the cemetery.

Grave diggers must always wear steel toe capped boots. A hard hat must be worn by anyone working on an excavation. Protective goggles must be worn when using a pick.

All graves must be dug centrally within the respective grave space to the exact dimensions indicated. Care should be taken so as not to disturb neighbouring graves.

All graves must be shored in compliance with safety regulations.

All unattended graves must be completely boarded over in such a manner as to prevent any person falling into the grave.

Single graves should be dug to a minimum depth of 4ft 6" with no less than 3ft of soil below the level of any ground adjoining the grave as stated in the UK Burial Act/LACO.

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## Exclusive Rights of Burial

An Exclusive Right of burial may be purchased at any time and is currently granted for a period of 75 years. Grants may be registered in multiple names (maximum of 3) however, any changes to the grave/grave deed require permission of all named parties.

The Exclusive Right of Burial entitles the register holder(s) to:

- Be buried in the plot (subject to space being available)
- Authorise burials in the plot (subject to space being available)
- Apply for permission to erect a memorial
- Apply for additional inscription on an existing memorial

Each full-sized plot can hold:

- One coffin and up to four caskets containing cremated remains
- 6 caskets of cremated remains

Exclusive Rights may be renewed for a further term towards the end of the lease, but any further term may not exceed 75 years. When the period of exclusive right of burial expires, the next of kin should contact the Clerk if they wish to renew the exclusive right so that the appropriate application can be made.

Should the right expire without renewal it shall revert to the council. In such cases neither the original purchaser nor anyone whom the right may have been transferred has rights to the grave. The council reserves the right to remove any memorial to use or dispose of as it sees fit.

Grave spaces can be purchased by contacting the Cemetery Groundsperson or the Parish Clerk at which time a grave deed will be issued as proof of ownership and forming a legal contract between the council and purchaser. Grave spaces must be purchased in a continuous row.

The Council may, upon request, agree to the re-purchasing of a grave from the owner if no interment has taken place, or where the remains have been removed and no cremated remains have been scattered thereon. A Deed of Surrender by the registered owner and the original Deed of Grant will be required by the Council and upon receipt a payment of half of the current fee will be paid to the registered owner.

Ownership of Exclusive rights of burial does not give an individual or families the right to place any items on the grave that are not permitted as laid out under the memorial section.

**Please note ownership of the ground does not at any time pass from control of the council. We reserve the right over all graves and to have any grave temporarily covered whilst carrying out excavations. Such covering may comprise of a boxed platform or similar onto which excavated soil may be placed prior to burial in an adjacent grave. We also reserve the right to move memorials to allow access to a grave. The memorials will be returned to their original positions and any disturbed neighbouring graves made tidy as soon as possible after burial.**

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## 1. Transfer of Deed

The ownership of Exclusive rights of burial may be transferred either during the owner's lifetime or after death. This is subject to registration with the council, the endorsement of the deed of grant and payment of the appropriate fee. This transfer can be done via:

1. Form of Assignment – used by a living owner to transfer the deed
2. Grant of Probate – granted to the executor of a last Will and Testament. Proof of probate is required.
3. Grant of Letters of Administration – when a deceased person dies intestate the next of kin can apply to the courts to be made Administrator of the estate.
4. Statutory Declaration – used to confirm the results of investigation when no official documents have been issued.
5. Form of Renunciation – is used should a grave owner wish to renounce their claim.

No purchaser of a grave shall convey, assign, or transfer such right without the written consent of the Council. If the registered owner is deceased, a transfer of deed must take place before any alterations made to the grave site.

A grave cannot be opened until new ownership has been established.

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## Memorials

All graves must be purchased for a memorial to be installed.

The turfed area shall be maintained solely by the Council. Maintenance staff may not be able to cut grass around planted or decorated graves where access is restricted as to do so may cause damage to items placed in or on grave plots.

**The Parish Council does not accept any responsibility for any loss or damage to any memorials placed on graves.**

All memorials and inscriptions are subject to the approval of the Council, no work shall be carried out before this approval.

No memorial will be permitted until a period of six months following the interment or at the discretion of the Council.

An application on the prescribed form signed by the owner and the person who is to carry out the works must be forwarded to the Council with payment before installation.

Monumental work will only be permitted during normal working hours and must be supervised by a Council employee.

No memorial or part thereof shall be removed from the Cemetery without prior approval of the Council.

No memorial shall be erected if there are no remains interred in the grave.

All Memorial Masons must be registered with NAMM or BRAMM before undertaking work in the Cemetery.

Mats, boards and other suitable protective materials for grass, plants and other memorials must always be used whilst the works are undertaken.

The site of the work shall be left in a clean and tidy state and surplus materials and refuse must be removed at the end of each working day and immediately upon the completion of the works.

**Any memorial erected in contravention of these regulations may be removed and the cost of removal charged to the person who erected it. The council reserves the right to act against the responsible mason in accordance with its registration scheme.**

The following are prohibited:

- Earth mounds
- Flowers, shrubs, plants, or trees – planted or potted.
- Fencing, kerbs, or gravel surrounds.
- Free standing ornaments and flower receptacles – of any material including glass, plastic, pottery, ceramic or metal are not allowed as they can be damaged, moved or stolen.

**Hutton Henry & Station Town Parish Council have the authority to remove any item which contravenes these without prior notification.**

**If a cemetery user discovers a damaged memorial, this can be reported to the Groundsperson, John Manchester on 07729 306760 or Clerk on 07554 688217 or [hhstparishcouncil@outlook.com](mailto:hhstparishcouncil@outlook.com).**

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## 1. Memorial Specifications

All stonemasons carrying out memorial work in the cemetery must adhere to the most recent code of working practice issued by BRAMM.

All memorials must be constructed of the best natural quarried stone. Any other material, including artificial stone, is not permitted, and may be removed by the Council.

Memorials must be supported and constructed to the satisfaction of the Council.

No memorial will be permitted which:

- Exceeds 3ft 6inches tall
- Is less than 3 inches thick
- Exceeds the width of the grave
- Includes any Kerbstones
- Is not dowelled to the foundation slab and supported on a minimum of 6 inches (150mm) of concrete.

The name of the Monumental Mason may be inscribed at the bottom left-hand side of the memorial.

## 2. Maintaining Memorials

**It is the responsibility of the grave owner to maintain and repair any damage to the memorial, Hutton Henry & Station Town Parish Council strongly advises owners to take appropriate insurance cover to protect against accidental damage or vandalism.** A reputable stonemason should be able to provide advice on this matter.

Memorials within the cemeteries are monitored for safety reasons and if a memorial is found to be in a dangerous condition, the Council will place a warning notice on the memorial for notification. If the owner of the grave cannot be traced or repairs are not carried out in a reasonable time, the Council may take one of the following courses of action:

- Carry out the necessary repairs and recover the cost thereof from the owner
- Remove and store the memorial
- Dismantle the memorial and lay the headstone flush with the ground
- Remove and dispose of the memorial if it is beyond repair.

Further interments in such a grave will not be allowed until the cost of carrying out the works has been settled.



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### 3. Vase and Flower Holders

Vases and flower holders (such as those shown in the images below) may be placed on purchased graves without specific approval subject to the following conditions:

- The holder must be placed at the head of the grave so as not to impede grass cutting.
- The holder must not be made of glass or pottery.
- It must not be affixed to the grave or any memorial thereon.

**The holder is placed on the grave at the owners' risk and the Council will not be liable in the event of its loss or damage however caused. Any vase or flower holder not complying with the Council's conditions will be treated as any other memorial for the purposes of the regulations.**

It is suggested that the grave number is marked on the base of the flower holder so that if it is displaced it can be repositioned on the correct grave.



### 4. Memorial Benches

The Council will accept the donation of a memorial bench; however, the type and quality of the bench must be approved. Siting of benches is restricted to certain locations within the cemetery and is at the discretion of the Council.

Any enquiries regarding the donation of a memorial bench should be made direct to the Parish Council. The Council reserves the right to refuse a request. Should a request be denied, the Council will give the reason why. The Council's decision is final.

All seats must be fully funded by the owner and not incur future financial liability to Hutton Henry & Station Town Parish Council.

Memorial wording/plaques must be submitted to the Council for agreement in advance.

The style of seating should be in line with styles in use in the Parish at the time and be constructed using environmentally friendly materials.

Should a seat become damaged or unserviceable the owner will be given the option of: removing the seat entirely and offering the space to another person or removing the seat and purchasing a new seat. Memorial plaques wherever possible will be returned to the owner/family.

The Council reserves the right to remove any seat which reaches a state beyond repair or becomes unsafe. The owner will be notified.

The Council reserves the right to re-locate seats if necessary. The Council will endeavour to inform the owner.

No additional mementos such as vases, statues, flowers, wreaths, balloons, lights etc. are permitted on or around the seat and, if so placed, will be removed.

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## **Grounds Maintenance**

To excavate or gain access to a grave, it may be necessary to temporarily place plant equipment and excavated materials on top of adjacent graves. The period during which this may be necessary will be kept to a minimum. Once the burial has been completed, the grave will be backfilled, and the surface of any adjacent grave affected by the works will be made good.

Following each burial in an earth grave, the ground will settle over a period of months. The council will routinely top up the level of any grave that sinks in this way.

The council reserves the right of passage by people and machinery over all graves for all purposes in connection with the cemetery, including but not limited to grounds maintenance, preparation of graves, erection, removal and repair of memorials, memorial safety inspections. The council reserves the right to temporarily remove any memorial in connection with burials in the cemetery.

## **Cemetery Records**

Plans of the Cemetery showing the various sections and individual grave spaces are available for inspection by contacting the Clerk. There is no charge for this service.

### **1. Grave Searches**

Hutton Henry & Station Town Parish Council maintain the statutory burial records for Station Town Cemetery.

Enquiries are received from members of the public wishing to locate the place of burial of their relatives. If you wish to locate a member of your family, please contact the Parish Clerk on telephone number 07554 688217 or e-mail [hhstparishcouncil@outlook.com](mailto:hhstparishcouncil@outlook.com).

The information required to conduct the search includes:

- The full name of the deceased
- The approximate month/year that the person died
- Any further details that can be supplied to assist with the search

A nominal charge may be made for this service.

## **Cemetery Information**

All enquiries should, in the first instance, be addressed to:

Hutton Henry & Station Town Parish Council

8 Jamieson Terrace

South Hetton

DH6 2SR

Telephone 07554 688217

E-mail: [hhstparishcouncil@outlook.com](mailto:hhstparishcouncil@outlook.com)

Or the Cemetery Groundsperson, Mr John Manchester 07729 306760

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## **Cemetery Fees 2023/2024**

A resident is a person who resides or has resided in the Parish during the previous 12 months, a member of the armed forces whose address is within the Parish or a person who was a resident in the Parish and has left for reasons of care.

The Council reserves the right to require proof of residency for example a Council Tax Bill or Electoral Roll entry.

### **Interment Fees**

Under 18's	£0.00
Adult – resident	£90.00
Adult – non-resident	£180.00
Ashes	£50.00

### **Reservation Fees**

*Please Note – burial fees are not included in the reservation fee.*

Single grave – residents	£90.00
Single grave - non-residents	£180.00

### **Grave Digging**

Re-opening	£150.00
Ashes	£50.00

### **Memorials**

Headstone	£90.00
Vase	£50.00
Additional Inscription	£40.00
Move Monument	£50.00

Transfer of Deed	£25.00
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### **Payment**

Cheques made payable to Hutton Henry and Station Town Parish Council **or** HHST Parish Council and posted to the Clerk at the above address or handed to the Groundsperson.

Electronic payments can be made to the below account ensuring to quote the name of the deceased.

Hutton Henry & Station Town Parish Council    Sort Code: 20-82-18    Account Number: 60260657