



## **OXTED PARISH COUNCIL**

### **REGULATIONS FOR THE UPKEEP OF THE BURIAL GROUND AND GARDEN OF REMEMBRANCE**

**These regulations were adopted by Oxted Parish Council on  
9<sup>th</sup> July 2013 , and are effective from 10th July 2013**

#### **1. INTRODUCTION**

1.1 These regulations

- 1.1.1 have been have been formulated to ensure the Burial Ground remains a safe, attractive and peaceful place for all.
- 1.1.2 are in addition to the provisions of the Local Authorities' Cemeteries Order 1977 and any other appropriate legislation currently in force.

1.2 In these regulations

- 1.2.1 'The Burial Ground' means the burial ground owned and managed by Oxted Parish Council. The Burial Ground is located behind St Mary's Parish Church, Oxted and is reached by way of Court Farm Lane.
- 1.2.2 'The Clerk' means the Clerk to Oxted Parish Council. The Clerk is Mrs Maureen Gibbins of Salmons, Salmons Lane, Whyteleafe, Surrey, CR3 0HB, telephone: 07510 226989. The Clerk is available between the hours of 9:30am and 3:30pm Monday to Friday, excluding Bank Holidays.
- 1.2.3 'The Council' means Oxted Parish Council.
- 1.2.4 'Owner of the grave space' means the person or persons to whom the Council grants a 75 year lease of the grave space or interment plot or their successors in title.

#### **2. CONTACT DETAILS**

- 2.1 All interment bookings, general enquiries and comments regarding the Burial Ground should be directed to the Clerk and in her absence the Chairman (01883 715420) or the Vice-Chairman (01883 715852) of the Burial Ground Committee.

### **3. ADMISSION TO THE BURIAL GROUND**

- 3.1 Admission to the Burial Ground is permitted between 9:00am and dusk every day of the year. Admission outside these times is at the discretion of the Clerk and in her absence the Chairman (01883 715420) or the Vice-Chairman (01883 715852) of the Burial Ground Committee.
- 3.2 Any person creating a nuisance or disturbance such as interfering with a funeral, grave, headstone, flowers, trees etc will be required to leave the Burial Ground immediately and may be the subject of subsequent legal action.
- 3.3 No person shall disfigure, injure, maim, or destroy wilfully or otherwise any building, wall, fence or other structure of any tree, plant or other item being in or part of the Burial Ground whether the same belongs to the Council or any other body or person. Nor shall any bill, placard, poster or structure or other item at any time be placed or erected in the Burial Ground or on any item therein. Furthermore no game, sport or recreation shall be practised in the Burial Ground nor shall (save as Military Funerals) any firearm be discharged. No person shall at any time disturb or annoy by action, words or otherwise any person in the Burial Ground or create any nuisance thereon
- 3.4 Dogs shall always be kept on a lead and properly controlled. Owners to clean up any fouling caused by their dogs.
- 3.5 There is to be no cycling, skateboarding, rollerblading or similar activity in the Burial Ground.
- 3.6 All refuse shall be disposed of in the appropriate containers provided at the Burial Ground by the Council.
- 3.7 No child under the age of 12 years will be permitted into the Burial Ground unless under the care of a responsible adult.

### **4. BURIALS OF COFFINS AND INTERMENT OF ASHES**

- 4.1 Burials and interment of ashes may take place between the hours of 9:30am and 3:30pm Monday to Fridays.
- 4.2 At least 48 hours notice (excluding Sundays) of any interment shall be given to the Clerk on the form provided together with all the fees due. The fees and charges will be as set out in Appendix A to these Regulations and they are reviewed annually by the Council.
- 4.3 No burials or interment of ashes may take place on Saturday, Sundays, Good Friday, Christmas Day or any Bank Holiday without the express permission of the Clerk. This regulation shall not apply to interments required to take place immediately upon the certificate of the appropriate Medical Officer or Authority or in the case of exceptional circumstances, in which case the day and time of interment is subject to the approval of the Clerk or in her absence the Chairman or Vice-Chairman of the Burial Ground Committee.
- 4.4 No burial or interment of cremated remains shall take place until the Registrar's Certificate of Disposal (Green or White as appropriate), the Coroner's Order of Burial where an inquest has been held, or a certificate from the Registrar in the case of a still-born child, is lodged with the Council.

- 4.5 Cremated remains are not to be scattered in the Burial Ground.
- 4.6 Burials of coffins and interments of Ashes to be made in accordance with the requirements of the Health and Safety at Work Act 1974, and current relevant statutes.
- 4.7 **In the Burial Ground**, each grave shall be dug in the middle of its 2.74 x 1.32m (9 x 4ft 6 inches) grave space (see the sketch at Appendix B to these Regulations). All displaced soil is to be placed in the area provided for this purpose.
- 4.8 The owner of the grave space shall arrange the digging of the grave via the funeral director.
- 4.9 Two burials of coffins only shall be allowed in each grave space. The burial of a coffin to be at a depth of 1.8m (6ft) where only one burial of a coffin is to take place, or 2.44m (8ft) for the first burial of a coffin where two burials of coffins are planned and a layer of earth of not less than 150mm (6inches) shall be left undisturbed on top of a coffin previously buried.
- 4.10 Once all burials of coffins have taken place, the interment of up to three cremated remains will be permitted.
- 4.11 Coffins only of wood or other bio-degradable material to be used in earthen graves and all coffins shall have a non-corroding plate bearing the deceased's name securely fixed.
- 4.12 **In the Garden of Remembrance**, each interment of cremated remains shall be placed in a hole dug in the middle of its 450mm x 450mm (17.5 x 17.5 inches) interment space.
- 4.13 The owner of the interment space shall arrange the digging of the plot via the funeral director.
- 4.14 Two interments of cremated remains only shall be allowed in each Garden of Remembrance interment space.
- 4.15 Urns only of a bio-degradable material to be used in earthen plots for the interment of ashes.

## **5. EXCLUSIVE RIGHT OF BURIAL**

- 5.1 The Exclusive Right of Burial in a grave space, or interment of ashes, must be purchased, all fees paid and the approval of the Council granted before an interment shall take place.
- 5.2 Exclusive Rights of Burial for a grave are granted for a period of 75 years.
- 5.3 Grave space may only be purchased on payment of the appropriate fee at the time of a burial or interment.
- 5.4 The Exclusive Right of Burial can only be transferred to another person by the legal process laid out in the Local Authorities' Cemeteries Order 1977 e.g. assigned by deed by a living owner to another person or bequeathed by Will.
- 5.5 New graves will be allocated in strict rotation.

## 6. LAYING OF MEMORIALS

- 6.1 **In the Burial Ground** a detailed memorial application, with a diagram of what is proposed and the proposed wording together with the appropriate fee is to be submitted to the Clerk for approval at least 28 days before the laying of any memorial. The form must be signed by the owner of the grave space.
- 6.2 The grave number provided by the Clerk is to be engraved on the upper face at the bottom right-hand corner of the memorial
- 6.3 All questions as to the suitability of any memorial shall be determined by the Council.
- 6.4 No memorial may be placed on a burial plot until 12 months has elapsed since the date of the burial or interment to minimise the effect of any further settlement and any settlement is to be infilled and compacted at the cost of the owner of the grave space before the memorial is laid.
- 6.5 A wooden cross not taller than 600mm (24 inches) above ground level or wider than 450mm (18 inches) may be used as a temporary marker to indicate the name of the deceased until the memorial is placed after which it is to be removed. The Council reserves the right to remove the temporary markers after the placement of a permanent memorial or after two years of the date of the burial or if the markers become dilapidated whichever is sooner.
- 6.6 Only a flat memorial with or without a kerb lying flush with the ground will be permitted. Memorial tablets and kerb surrounds should be of marble, slate, stone or reconstituted stone. No metal, wood or plastics are permitted.
- 6.7 In all cases the maximum overall size of the memorial or the memorial and the kerb together with all edging chips or other ornamentation is not to exceed the memorial area of 1.524 x 0.762m (5 x 2ft 6inches) which is to be located in the middle of the grave space.
- 6.8 Any relief inlay or inlay with photograph shall not exceed 300 x 300mm (12 x 12inches).
- 6.9 Flowers or plastic pots containing flowers or plants will be permitted on the memorial. No flowers, plants, shrubs or trees shall be planted within or outside the memorial area. The Council reserves the right to remove all flowers or plastic pots containing flowers or plants where the flowers or plants have died including neglected, damaged or decayed tributes. The owners of the grave space and interment plots should be aware that flowers and bulbs may be damaged by birds or animals. The Council will not accept responsibility for this.
- 6.10 Glass vases, jars or bottles shall not be permitted on memorials or grave spaces or interment plots as they pose a Health and Safety risk. The Council reserves the right to remove such items immediately.
- 6.11 The Council reserves the right to prune, cut down or dig up and remove any of the shrubs, plants or flowers at any time.
- 6.12 **In the Garden of Remembrance**, only a memorial constructed of marble, slate, stone or reconstituted stone, with a flat upper surface, laid flush with the ground will be permitted. The memorial is to be 300mm x 300mm (12 x 12 inches) surrounded by chippings to match the existing provided by the Council. Flowers or plastic pots containing flowers or plants will be permitted on the memorial. No flowers, plants, shrubs or trees shall be planted within or outside the memorial area.

- 6.13 The Council reserves the right to remove flowers, pots, plants, shrubs or trees which are on or outside the memorial area.
- 6.14 **In both the Burial Ground and in the Garden of Remembrance**, any damage caused by or in connection with laying or repair of any memorial the person or persons to whom the exclusive right of interment is vested or their successors in title shall make good the damage.
- 6.15 The Council shall not be responsible for any damage to memorials, or anything placed on them, nor for any removal which may become necessary on re-opening of the grave.
- 6.16 All memorials are the sole responsibility of the owner(s) of the grave space and interment plot or their successors in title. The Council shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. Therefore, it is recommended that the owner of the grave space insure their memorial(s) against damage and/or theft.

## **7. CARE OF GRAVES AND MEMORIALS**

- 7.1 Grave spaces must be kept in a neat and tidy condition and all litter must be removed.
- 7.2 If fencing or other non-compliant materials, or objects are placed on a grave space, written notice will be sent to the grave space owner at their last known address requesting the immediate removal. If, after 28 days of the date of notice, the grave space owner does not comply with the notice, the Council will arrange for the removal of the non-compliant materials at the expense of the owner of the grave space.
- 7.3 If graves are left untended or become unsightly the Council reserves the right to take any necessary action to preserve the general amenities of the Burial Ground.
- 7.4 If in the Council's opinion any memorial has become dangerous or do not comply with the regulations, then after the Council has taken all reasonable steps to contact the owner of the grave space or their successors in title, the Council reserve the right to remove the dangerous or non-compliant memorial. The Council accept no responsibility for damage which may occur to the memorial during its removal.
- 7.5 No hewing or dressing of memorial materials will be permitted within the Burial Ground, and all materials for memorials and all monumental mason's tackle and material shall be conveyed into the Burial Ground in such a manner as will avoid annoyance to persons or injury to the ground or walks; and all debris, soil and rubbish arising from the work, shall be removed in like manner at the end of each working day. Any damage caused to paths, ground and road to be repaired by and at the expense of the memorial contractor.

## **8. MEMORIAL BENCHES**

- 8.1 Memorial benches may be placed in the Burial Ground with the approval of the Council. The council require the donator of the memorial bench to provide a concrete plinth to which the bench is securely fixed. The concrete plinth should also be secured to the ground with two helical anchors as shown on the sketch attached at Appendix C to these Regulations. This is to reduce the likelihood of the bench being removed which has occurred in the past.

## **9. GENERAL**

- 9.1 Pets may not be buried in the Burial Ground
- 9.2 No work of any kind which is undertaken for the purpose of profit shall be executed in the Burial Ground on Saturdays, Sundays, Bank Holidays, Christmas Day, Good Friday, except work in connection with burials carried out in accordance with the proviso to Regulation 3.1.
- 9.3 Without prejudice to any other remedy available to the Council or other body or person, any person contravening these regulations shall be liable to a fine of up to £1000 for each and every occurrence or such other fines as shall from time to time be lawfully demanded by the Council.
- 9.4 The Council reserves the right to make from time to time any alterations and additions to these regulations.

**Clerk to the Parish Council: Mrs M Gibbins,  
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