

Stamford Cemetery

Regulations



Approved:STC28/3/2023

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Stamford Cemetery

Stamford Cemetery, opened in 1855. It aims to provide burials for non-religious individuals and those of any faith. The cemetery offers sections for the burial of ashes, full burial plots & children's grave areas. There is a non-denominational Chapel, which may be used for services prior to interments, or may be used as a funeral service venue. All requests for alternative burials, or alternative memorials will be considered.

These Rules and Regulations are required for the effective management of Stamford Cemetery. Every effort has been made to avoid restricting the rights and choices of the individual. Therefore, these Rules and Regulations have been prepared with a balance between individual rights and the need to regulate for safe and tidy grounds.

The following Rules and Regulations will come into operation on and as from 1st April 2023. All previous Rules and Regulations previously made by the Council are hereby superseded.

The Council reserves the right from time to time to make alterations, additions or amendments to these Rules and Regulation, and the fees and charges specified herein. These rules and regulations will be reviewed at least once per year.

Introduction to the Rules and Regulations

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, the Local Authorities Cemeteries Order 1977 (LACO) and the Health and Safety at Work Act together with any other relevant legislation that governs this service.

General Regulations

Opening Times

Monday – Sunday (including Bank Holidays) 8:00am – 4.00pm for vehicle access.

Please note that the locking up procedure will commence 15 minutes prior to the stated closing time. As the gates will be locked at the times stated in order to secure the cemetery, all visitors and their vehicles are asked to leave the cemetery in good time.

Visitors are asked not to enter or remain in the Cemetery with their vehicles. No vehicle is permitted to be in the Cemetery outside of opening hours. Pedestrian access is available outside of these times.

It may be necessary at times leave the gates open or to lock the gates earlier than stated due to circumstances beyond our control. The Council reserves the right to limit public entry or to close the cemeteries at any time.

Bereavement Services Office and Office hours

Bereavement Services Officer
Town Hall
St. Mary's Hill
Stamford
Lincolnshire
PE9 2DR
Telephone Number: 01780 753808
Email: bereavement.services@stamfordtowncouncil.gov.uk
Web address: www.stamfordtowncouncil.gov.uk
The Town Hall Office hours will be open as follows:
Monday to Friday: 9am – 4pm (excluding Bank Holidays)

Control of Cemetery

Subject to these regulations any changes made by the Council, the general management and control of the cemeteries shall be exercised by the Bereavement Officer.

All enquiries regarding the Council's cemeteries should be made to the Bereavement Officer at Stamford Town Hall. Any complaints/comments should be made to the Bereavement Officer in writing without delay.

Conduct

The Cemetery grounds are a place of peace and quiet reflection, for some it is also a workplace. Visitors to the cemetery are welcome, but please respect the special nature of the site, the needs of other users, and safety factors. Visitors must not stand, sit, or lean on any memorial or otherwise act in such a way as to cause damage to property or offence to passers-by.

All visitors must conduct themselves in a quiet and orderly manner at all times. Stamford Town Council's representatives have the right to exclude or remove any member of the public at their discretion.

For their own safety, visitors are asked to keep to the surfaced roads and paths, except when approaching the grave, they are visiting. Please behave with dignity and respect whilst visiting the cemetery and ensure all litter is placed in the bins provided. Please respect other people's graves and do not remove or damage any items and observe decorum in all other respects.

Visitors are asked not to access any building or enclosure in the Cemetery, except on lawful business.



All persons admitted to the cemeteries shall conform to these regulations. Every Exclusive Right of Burial holder of any earthen grave space or vault, and every person who may acquire such rights by assignment or transfer, shall be subject to these regulations.

It is prohibited for people to gather in any cemetery other than for the purposes of remembrance or a funeral service.

Visitors to cemetery grounds are required to abide by the codes of personal conduct specified in the Local Authorities Cemeteries Order 1977.

Under Article 18(1)

No person shall:

- Wilfully create any disturbance in the cemetery
- Commit any nuisance in the cemetery.
- Wilfully interfere with any burial taking place in the Cemetery.
- Wilfully interfere with any grave, walled grave or vault any tombstone or other memorial, or any flowers or plants.
- Commit any anti-social behaviour or play any game or sport in the Cemetery.
(This is to be taken to include the discharge of any firearm, save at a military funeral.)

Article 18(2)

- No person not being an officer or contractor of the Council, or any other person so authorised by or on behalf of the Council shall enter or remain in the Cemetery at any hour when it is closed to the public.

Additionally, persons entering the cemetery must not: -

- Wilfully or carelessly obstruct, disturb, or interrupt any officer or member of Council staff during the exercise of his/her duties.
- Behave in a manner likely to cause harm to themselves or others.
- Damage, retain or remove any article structure or planting within the cemetery which is not their own property.

Penalties

Anyone who commits any offence within the cemetery grounds, will incur liability upon conviction, to applicable penalties under the byelaws and/or other legislation.

Article 19

Any person who contravenes:

any prohibition under Article 5(6) (Cremated Remains) (b) Article 10(6) Article 18(1) and 18(2)(d) Part 1 of Schedule 2 (Exercise of Burial Rights) shall be liable on summary conviction to a fine of not exceeding £1000 and in the case of a continuing offence to a fine not exceeding £100 plus costs each day during which the offence continues after conviction.

Firearms/banners

Firearms shall not be discharged, or banners displayed within the cemetery without the prior written consent of the Bereavement Officer.

Sky (Chinese) Lanterns and Balloons

The Council does not allow the intentional release of balloons or Chinese/Sky Lanterns at the Cemetery

Vehicles

Please take care when driving in the cemetery. speed limit of 5 mph is in force in the cemetery. In the interests of safety, anyone seen to be driving too fast or recklessly will be asked to leave the cemetery.

Vehicles (other than maintenance vehicles and grass cutters) shall not be allowed on any grassed area of the cemetery or pedestrian walkways.

Parking is **ONLY** allowed in the designated areas provided, at the owner's risk, and only for bona-fide visitors to the cemetery.

A hearse, mourning coach or tradesman's vehicle may, with permission, park on or obstruct any driveway, for the purpose of carrying out any special duty.

All vehicles must adhere to the one-way system in place.

Cycles/Scooter/Skateboards must not be ridden on any pathway, but subject to the below regulation for vehicles, may be taken to the proper parking areas, and can be left at the owner's risk.

Neither the Council nor any of its employees can accept responsibility for the loss of or damage to any vehicle or its contents whilst within the Cemetery. All visitors are asked to keep to the footpaths and driveways attending a grave and, generally, respect the Cemetery at all times.

Children

Children under the age of 12 are not normally permitted in the Cemetery unless they are under the care and control of a responsible person. It is particularly important that children are not allowed to climb on or jump over any monuments within the cemetery as this could pose a danger to their safety.

Dogs

Dogs are welcome when visiting with their owners and when they are on a short lead and properly controlled and **ONLY** if the owner is a bona-fide visitor to a grave. Please respect the cemetery and do not allow your dog to foul on the grass, as the majority have burials in these areas. It can be very upsetting for visitors to see dogs running over graves and/or fouling in the cemetery.

All dog faeces must be cleared up by the person in charge of the animal and the Dogs (Fouling of Land) Act 1996 will apply.

Under no circumstances should the Stamford Cemetery be used as a dog exercising facility.

Animals

Visitors are asked not to bury pets or scatter ashes of pets in the Cemetery.

Horses (other than horses used in or as part of a funeral cortege) are prohibited in the cemeteries.

Photographs/films

Written permission from the Bereavement Officer must be obtained to undertake any filming, videoing or photography, other than that for personal use.

Advertising

No advertisements shall be displayed in any part of the Cemetery and no person shall distribute business cards, advertisements or literature.

Sale of goods and solicitation of orders

The sale of goods, services, plants or articles, the soliciting of orders for the erection or repair of monuments or memorials or for the work connected with the grave is strictly prohibited within the cemetery, unless as part of an approved scheme.

Stonemasons and other organisations shall not distribute business cards, or ask or attempt to obtain from an employee, information concerning grave owners.

Council Employees

Council employees or persons contracted to carry out works on the Council's behalf are not allowed to undertake any private work in time when employed by the Council. Neither should they be offered or accept any tips or gratuities.

The Contractor cannot engage in any other work of a private nature in the Cemetery, nor accept any gratuity. The taking of other work or the supply of any article in connection with this contract may subject to the termination of the contract.

The Council forbids any gratuity being offered to or being accepted by any of its Contractors, under any pretence, whatsoever, or the undertaking by its Contractors of any private work in the Cemetery.

The recommendation by any Contractor or employee of the Council, of any Undertaker, Sculptor, Stonemason or other Tradesman is strictly forbidden by the Council.

Disclaimers/responsibility for loss or damage

The Council accepts no liability for any fatal injuries or other personal injuries sustained by any person entering the burial ground.

The Council will not be responsible for the safe keeping of or accept any liability in respect of any accident or damage to, memorials howsoever caused. The owner of the memorial shall keep it in good condition and repair, failing which the Council reserves the right to remove any broken or damaged portions of memorials, or any other items which have become unsafe, unsightly or otherwise objectionable.

The Council shall not be responsible or accept any liability for orders or documents sent by post. Neither will responsibility be accepted for errors following telephone instructions.

The Council has the right when necessary to gain access across any grave, mound soil on any grave and remove or replace any memorial without notice to the owner.

The Council will not be responsible in any way for the care of gravestones, monuments, tombs, kerbs, vases or memorials of any description, or for any damage done thereto, but the Council reserve the right to straighten any fallen or falling memorials or headstones, but do not make themselves responsible in any other way.

If any damage is caused to cemetery land, walls or premises by any cause whatsoever, the person(s) committing such damage will be held responsible by Stamford Town Council.

Music

Music shall not be played or broadcast in the cemetery without the prior written approval of the Bereavement Officer.

Undertakers are responsible for proving any music used at any burial service, they must also provide any organist or person to operate music.

Weather

If strong winds between 45-55mph or higher are predicted, the cemetery will close without notice. Pre-booked funerals may be permitted.



Enquires

We welcome enquiries irrespective of race or religion. Wherever possible we will strive to accommodate any specific requirements. However, on occasions this may not be possible.

Burials

Guiding Principles

Stamford Town Council has adopted the guiding principles for burial services that are issued by the Institute of Cemetery and Crematorium Management (ICCM). Stamford Town Council is a corporate member of the ICCM.

Fees and charges

Stamford Town Council's fees and charges are reviewed annually and normally increased with effect from 1 April. A table of the current fees and charges is available in the Bereavement Services Office during normal office hours, or on the Stamford Town Council website.

All fees must be paid when the Notice of Interment form is handed into the office unless other arrangements have been agreed with the Cemetery Officer. Official receipts will be given for fees paid.

All fees and charges applicable to funeral directors which are invoiced in arrears must be paid in accordance with Stamford Town Council's terms and conditions. Failure to comply will leave the authority with no option but to withdraw the credit facility and in this event all subsequent fees and charges for interment fees and any requested exclusive rights would be due for payment at the time of giving notice of booking.

A different burial fee will apply to:

coffins exceeding 27" wide.
the depth of the grave to be prepared.
Non-Residency

Resident Charges will apply when the person to be interred or in respect of whom the Exclusive Right of Burial is to be granted, is or immediately before his or her death was a resident of the Town of Stamford, or in the case of a stillborn child where the parents or one of them at the time of interment were such residents. Stamford Town Council uses the deceased's address as part of the checking process and will be checked with the Electoral Register to ensure the correct fees are charged, further proof of residency may be required.

Non-Resident Charges will apply where the deceased was living outside of Stamford at the time of their death. Exceptions to the rule are as follows:

If a burial plot has been purchased by a Stamford resident who subsequently leaves the Town and is the residing outside of Stamford at the time of their death.

Stamford residents that have needed to move out of the Town to receive specialist care e.g. a nursing home or move in with a family member for care support – up to a period of 10 years from the date of moving out of the Town. NB Those who move out of Stamford to downsize or to move closer to relatives will not be eligible for this exception.

Members of the Armed Forces (the serving individual and their spouse – married or co-habiting partner)

Notice of Burial

Anyone arranging a funeral is required to comply with the regulations of the Cemetery.



Notice of any intended burial must be entered on the relevant 'Notice of Burial' form, which is available from the Bereavement Services Office and Stamford Town Council website. The most up to date forms provided by Stamford Town Council **must be used**, no previous versions will be accepted.

No burial shall take place, without the permission of the Cemetery Officer.

Interment must be booked a minimum of 2 weeks before the interment.

The completed 'Notice of Burial' form must be delivered to the Bereavement Services office with either, the Green Form 9 issued by the Registrar of Deaths, or Coroner's Burial Order, at least three full days before the burial excluding weekends and Bank holidays. A copy is also to be emailed to bereavement.services@stamfordtowncouncil.gov.uk

This period is reduced when infectious diseases or other urgent cases are involved. Failure to do so may result in the funeral being delayed or not taking place at all.

The Registered Grave Owner has the automatic Right of Burial in an existing grave (space permitting).

Where more than one person is to be buried in the same coffin, separate 'Notices of Burial' must be provided for each person to be buried.

Funeral Directors must be aware that the coffin size submitted must be the exact external dimensions (length, width and depth).

The Funeral Director must advise at the time of the booking if special arrangements or facilities are required, such as the family wishing to replace the soil themselves after the burial.

Restrictions of interments

All burials are subject to the statutory provisions in accordance with Schedule 2 Part 1 of the Local Authorities Cemeteries Order 1977.

Interments will not be allowed in the Chapel.

No body shall be buried, or cremated remains interred, in any grave where an Exclusive Right of Burial exists unless the owner(s) has given approval in writing (or the deceased is the owner), except in cases specified in Article 10(6) of the Local Authorities Cemeteries Order 1977 as being exceptions to the need for such consent.

Burial Service Times

Bereavement Services Officer will accept bookings for interments as follows:

Monday to Friday

Between 10.00am – 4.00pm From 1st April to End of British Summer Time (from the date the clocks go back) Last interment Burial 3pm, CR 3.30pm

Between 10.00am – 3.00pm From Start of Greenwich Mean Time to 31st March (from the date the clocks go back) Last interment Burial 2pm, CR 2.30pm

Please note that the council may not always be in a position to accommodate the requested date or time.

The time agreed with the applicant is deemed to be when the service and/or burial commences at the cemetery.

All interments are issued a 1-hour time slot, after this time the grave will be closed to ensure adequate time to prepare for other interments booked on the same day. Funeral Directors must ensure families are informed. Requests of a longer time slot will be permitted with prior written notice.



To avoid disruption to other funerals, this time must be adhered to. In the event of the late or early arrival of the funeral to the cemetery grounds, the funeral must wait until it is convenient to proceed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service.

Any floral tributes from the funeral will be placed on top of the grave following backfilling and will be removed after approximately one month of any interment, (unless the family have already removed them).

Grave sinkage (settlement) will be reinstated as and when it is noted. Grave owners will not be notified in advance when this work is to take place, although they may request this to be done if they notice significant settlement.

Certificates of Disposal

A Registrar's Certificate for Disposal or Coroner's Order for Burial, or a declaration in the form prescribed by the Births and Deaths Registration Act 1926 and any amendment or re-enactment thereof must be delivered to the Cemetery Officer before the interment can take place, except under special circumstances where an Undertakers declaration form must be submitted in accordance with the Births and Deaths Registration Act 1926.

In the case where an Inquest has been held – the Coroners Certificate for disposal of the body of the person to be interred is to be produced, to the Cemetery officer at the Town Hall, except under special circumstances where an Undertakers declaration form must be submitted in accordance with the Births and Deaths Registration Act 1926.

In cases of children still born, a certificate will be required in accordance with the Births and Deaths registration Act 1926.

A Certificate of Cremation must be produced before a burial of cremated remains can take place.

In the case of any body or corpse imported from abroad a Certificate of Death is not required to be registered.

Failure to produce the relevant certificate or order will result in the postponement or cancellation of the funeral.

Selection of new graves

The family, or representatives of the deceased, are permitted to select a grave for the funeral. An appointment will be made for a mutually convenient day and time for Bereavement Services Officer to meet and advise the family, or their representatives, of the available spaces.

Moving Memorials

Where a grave is to be reopened to receive a further burial, it is the responsibility of the registered owner of the Exclusive Right of Burial, acting through their appointed Funeral Director, to organise the removal of any memorial erected on the grave at least 48 hours prior to the date and time of the funeral, to enable the grave to be prepared for the burial. the removal of any memorial may only be undertaken by a Memorial Mason registered with BRAMM or NAMM.

Subject to the agreement of the Cemetery Officer, any Stone Mason requesting to leave any such memorial within the cemetery grounds after the removal from a grave, is responsible for informing the registered owner.

The Council accepts no liability for any damage caused to any such memorial and it is left there at the registered owner(s) own risk.

Grave excavation

All graves must be dug by qualified people employed or contracted by the Council.

No burial can take place in any grave where the legal depth cannot be obtained.

The depth to which any grave may be excavated will be determined by the Council and will be according to statutory regulations and the conditions appertaining in each individual case. and not more than two adult bodies may be buried in any new grave space, unless specified by the Town Council.



Adjacent grave spaces that may be affected by a burial. We reserve the right to place the soil on the grave next to those which are being opened, without any notice. Cemetery Staff /Contractors will fully reinstate graves to their original appearance after the burial has been completed.

The Council reserves the right to delay or reschedule a funeral if any part of the burial area or excavated grave becomes unstable or dangerous due to severe weather or other extenuating circumstances.

In ground purchased for a term of 50 years, if more than one body is interred in any grave space, a layer of earth at least six inches (16cm) in thickness shall be left between each coffin interred therein, and three feet of earth between the top of the upper coffin and the ordinary level of the ground, provided where the ground be of suitable character a coffin of perishable materials may be placed not less than two feet below the ordinary level of the ground.

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 as these actions are offensive.

No more than one body shall be buried in a single depth grave; and no more than two bodies shall be interred in a double depth plot in accordance with Statutory Regulations.

For persons of twelve years of age and upwards, no grave shall be less than four foot 3 inches (130 cm) in depth, and for those under twelve years not less than FOUR foot (122cm) in depth from the ordinary surface of the ground.

For any grave having a depth greater than four foot three inches (130 cm) an extra charge will be made in accordance with the scale of fees operational at the date of ordering such extra depth, this only where the subsurface conditions make it possible to excavate such extra depth.

All labour for excavating pre-existing walled graves and vaults and the provision of all materials, plant, appliances and equipment for constructing and completing the same, shall be provided by the owner of the Rights, and at the expense of the person requiring the same, and such person shall at his own expense fill and level the ground; deposit the surplus soil where directed by the Contractor entirely remove all refuse and unused materials and carry out the work to the satisfaction of the Contractor. All brick or stone walls of any walled grave or vault shall be not less than four and a half inches (12cm) in thickness.

Some Grants issued in Perpetuity may have graves allocated for three interment. Such plots will need to be tested for required depth, prior to permission being granted for a third interment. The final coffin must be at least two feet below the surface of the ground.

Mats, boards, zinc sheets or canvas are to be used by the Contractor to preserve the grass, roads or paths from injury by any work.

Grave reinstatement and maintenance

The Council may in accordance with The Local Authorities Cemeteries Order 1977 16(1) (a) put and keep in order any grave or vault, or any tombstone or any other memorial, in a cemetery; and

(b) level the surface of any grave, consisting wholly or substantially so of earth or grass, to the level of the adjoining ground.

Funeral service

We welcome any individual requests for a funeral service, i.e. horse drawn hearses, pipers, military, family to video the service, but please inform the office at the time of booking so that these requirements can be considered and accommodated if possible.

We will try to accommodate requests relating to cultural or personal preferences wherever possible.



All burials shall be carried out in accordance with the requirements of the Local Authorities Cemeteries Order 1977

Once the Funeral cortege enters the Cemetery gates it is under the jurisdiction of the Council.

The person or Funeral Director arranging the burial will be responsible for the health and safety of everyone involved in the burial. The handling and lowering of the coffin should have been risk assessed in accordance with the Manual Handling Operations, 1992. The persons responsible must provide enough bearers to safely carry the coffin or casket from the hearse to the grave and also to lower.

Officiants

It is the responsibility of the person making the funeral arrangement to organise a Minister or Officiant for the funeral if one is required. The Bereavement Services Officer can perform a non-religious service for you for Interments of Ashes only if requested in advance at no additional charge.

Coffins

All coffins must bear a nameplate of the deceased on the lid and must be made of biodegradable materials. In light of Environmental issues, it is recommended that caskets are only used in a case of infectious diseases.

The body of a person who died from a notifiable disease must be enclosed in a sealed coffin before burial and information regarding this must be given at the time of booking of the interment.

For the interment of cremated remains in a grave the ashes shall be contained in a sealed container.

New Vaults and Brick Graves are subject to request. Metallic coffins must not be used. Only wooden or sustainable coffins for burials or Wooden or sustainable Caskets/Urns/Tubes/Boxes for Cremated Remains are permitted.

Public Health (control of disease) Act 1984

The body of a person who has died from an infectious or contagious disease under the Public Health (Control of Disease) Act 1984 must be taken directly to the grave under controlled conditions.

No corpse dying of an unusual serious epidemic disease, certified in each case by the authorised Physician, shall be taken into the Chapel, but shall be conveyed directly to the grave for interment. Notwithstanding those attending the burial and during the process of the interment of such corpse, the Town Council shall close the gates of the Cemetery and exclude the Public as necessary. All such interments must take place before nine o'clock in the morning.

Backfilling the grave

We will allow mourners to backfill the grave, however, the first layer of soil to go into the grave must be put in by the Town Council's contracted gravedigger to ensure no damage is caused to the coffin/casket.

If the 'Notice of Burial' does not state that backfill is required, this request cannot be accommodated if made on the day.

If weather conditions or other factors beyond the control of Stamford Town Council would endanger anyone present, the backfill cannot be accommodated.

Chapel

A service in the Chapel may take place upon payment of the appropriate fee and a booking being made

The time allowed for a service is forty-five minutes.

An organ is available in the Chapel but the family or their representatives (e.g., Funeral Director) must arrange for the Organist to attend and liaise directly, regarding the music to be played.



Infectious disease Any person who has died of an infectious disease shall not be allowed inside the Chapel and must therefore be taken directly to the grave.

Exhumation

After interment no body or cremated remains may be removed from a grave without the production of the ecclesiastical faculty and/or Home Office Licence for exhumation required by law. The original documents will be required for this purpose.

The Exclusive Right of Burial

The Grant of Exclusive Rights of Burial is issued for a minimum period of 10 years without memorial rights, or a minimum period of 25 years with memorial rights up to a total maximum of 50 years.

Grave Allocation

Graves will be allocated at the discretion of the Council. Only graves shown on the Cemetery Plans will be allocated. The wishes of an applicant will be taken into account wherever possible.

All graves purchased after 26 October 2010 will be treated as in the 'Lawn graves'.

Inhabitants who desire to have a plot of ground as a family burial place, may, for that purpose, purchase the Exclusive Right of Burial (hereinafter referred to as purchased) for two or more contiguous grave spaces for a maximum term of fifty years and renew the term of Rights from time to time: all purchases of Grant of Exclusive Right must be arranged at/through the Town Hall to ensure familiarity with the Rules and Regulations.

Graves may be purchased in advance of a burial taking place. The commencement date of the Grant of Exclusive Right of Burial will be the date of purchase of the plot and the Grant will not be issued until all legal documentation is finalised.

Where the Exclusive Rights of Burial of a grave has expired, the grant holder can apply to re-purchase the Rights for a minimum of 10 years, with the maximum of 50 years at the current rate applicable.

Period of Exclusive Right of Burial

Purchasing a grave does not mean you own the plot of land. When purchasing the Rights to a grave, you are purchasing the lease for the maximum of 50 years and the Exclusive Right to choose who can be buried in the grave during that period.

An Exclusive Right of Burial in a grave will be provided to the purchaser for the period stated on the Exclusive Right of Burial Deed. Which can be renewed or extended at the current rate to a maximum of 50 years.

No grave in respect of which the Council has granted an Exclusive Right of Burial shall be opened without production of the deed, written consent of the Deed Holder or other relevant documentation.

According to the Local Authorities Cemeteries Order 1977,10.6:

No body shall be buried, or cremated remains interred or scattered, in or over the grave or vault where an Exclusive Right of Burial subsists except with the consent in writing of, the owner of the Right.

Grave Deed

The Bereavement Services Officer will provide the purchaser with an entitled Exclusive Right of Burial Deed as proof of ownership of Exclusive Right of Burial. A copy of the Deed will be held by the Council.

Where the owner of the Exclusive Right of Burial has misplaced/lost the grave Deed, he/she may apply in writing to the Bereavement Services Officer for a replacement. Included in the application must be relevant documentation that provides proof of identity and also any necessary fee. Once satisfied with the information submitted the Bereavement Services Officer will issue a duplicate Grave Deed.

A grave will not be registered in the name of a Funeral Director or firm of Funeral Directors, Solicitors, or a Partner, Director or Employee of such firms nor stone mason, unless satisfactory evidence is provided that the grave is required for use by the applicant as a private individual and not for the purpose of business.

Transfer

All grave owners will be registered by the Council and shall own Exclusive Rights permitting the grave to be opened upon the production of the Deed. No grave owner shall be entitled to transfer any grave without written notification to the Council. It is the responsibility of the owner to notify the Council of any change of address or ownership.

Any application for transfer of ownership of a grave Deed must be made in writing to the Council. This must be accompanied by any relevant documentation and the appropriate fee. The Council will not unreasonably decline to make a transfer but is legally bound to transfer in accordance with the law.

Where the Grant Owner of a grave has died, a new owner must be registered before any burial can take place in that grave other than the Grant Owner. The transfer is handled using the Grant of Probate, Grant of Letters of Administration or Statutory Declaration and a legal process **must** be followed.

Transfer of ownership of Exclusive Rights of Burial can be dealt with in several ways, dependent upon individual circumstances. Please see the Transfer of Ownership guidance for further details.

Upon the expiry date of the grave deed the ownership of the grave space will revert to the Council if the family or owner of the Exclusive Right of Burial has expressed no desire to extend the grant period.

However, families will have the option of extending this grant for a further period of time with an additional payment of a fee.

Paying the necessary fees, a family burial place may be retained for the term of the Grant and may be renewed so long as any members of the family or representatives remain. In use of such ground, the Regulations of the Secretary of State and of the Council must always be observed.

Unused Graves

A purchased plot with no interments may be bought back by the Council if it is no longer needed by the Exclusive Right of Burial holder. This will be at the fee, which was originally paid, less the years of ownership expired and subject to an administrative fee.

In accordance with the Local Authorities Cemeteries Order 1977 10.3 Grants issued for a period exceeding 75 years, the Council may withdraw the Right of Burial therein, provided that such notice of intention to withdraw, the Council may declare such Right of Burial to be withdrawn and may offer the grave to another person.

Types of Graves

General information

The regulations for the management graves shall apply to all grave within the Cemetery.

Additional regulations to individual types of graves are set out under each section:



Double depth graves, where available, will hold two burials (coffins/casket) and 8 cremated remains, once both burials (coffins/casket) have taken place, interments of cremated remains before the 2nd burial (coffins/casket) will close the plot to burials (coffins/casket). Single depth lawn graves will hold one burial (coffins/casket) and 8 cremated remains, once both burials (coffins/casket) have taken place, interments of cremated remains before the 2nd burial (coffins/casket) will close the plot to burials (coffins/casket).

After approximately one year, graves will be levelled using topsoil over the whole of the grave space. Grass seeding will be carried out between October and April as weather allows. The routine mowing of the grass is the responsibility of the Council's Staff or appointed contractor. The registered owner of the Exclusive Rights of Burial is responsible for the maintenance of any memorial erected on the grave and must remain in a safe condition.

Lawn Graves

Are defined as all sections created after 2009 including Children's Graves - W (1) Section of Cremated Remains, the Catholic section from plot numbers 483-501 inclusive and 430 to 449 inclusive, X, X*, Y and Z sections

The area allocated to a Burial plot in the lawn section is 152 cm (5'ft) in width and 243cm (8ft) in length and all other lawn sections 120cm (4ft) in width and 243cm (8ft) in length.

This area of the cemetery is laid to lawn and a Garden Spaces with a maximum size of 5ft wide by 1 ft in length, in front of the landing will be available for individual planting and tributes. The grave owner is responsible for maintaining this area. The Council will maintain the whole of the grassed part of the lawn section, and nothing must be planted or placed on the area.

The Lawn Sections are also divided into three denominations, Non-Conformist, Roman Catholic, and Church of England. This area will remain unconsecrated, an explanation for this decision is attached (Appendix 1).

Any item placed on graves that contravene these regulations will be removed and stored for collection by the owner. Items removed will only be stored for a period of 4 weeks after which time they will be disposed of.

The Council has the right to prune, cut down or dig up and remove any such shrubs, plants or flowers which are of an objectionable character or when they have become unsightly, overgrown or impede grave excavation. The Grant holder will incur any cost occurred to the Council if their plots are breaking the rules and regulations of the cemetery and all costs will be pass to the grant holder. A caveat will be place on the plot if the Grant holder cannot be contacted.

The Cemetery Officer is authorised to rectify/remove anything which does not comply with these regulations.

The Cemetery Officer is authorised to instruct Council employees or persons contracted to carry out works on the Council's behalf to rectify/remove anything which does not comply with these regulations.

Traditional section

Are defined as all Sections created before 2009 including Children's Graves, excluding W (1) Section of Cremated Remains, the Catholic section from plot numbers 483-501 inclusive and 430 to 449 inclusive, X, X*, Y and Z sections.

The area allocated to a Burial plot in the Traditional section is 121 cm (4'ft) in width and 243cm (8ft) in length.

Cremated Remains Section

The area allocated to a grave within the Cremated Remains section is 91cm (3 ft) wide x 122cm (4 ft) long.

A cremation section grave will not contain more than 6 interments of cremated remains.

Cremated remains must be interred in a biodegradable container, wooden casket, or velvet bag with the name of the deceased inscribed.

It is the responsibility of the person arranging the interment to produce the cremated remains for interment at the cemetery unless agreed with the Cemetery Officer.

Children's Burial & Cremated Remains section.

An area in each cemetery has been allocated to a children's burial section for the interment of neonatal, stillborn and infants up to the height of 6ft.

The area allocated to a grave within the children's section is 91 cm (3 ft) wide x 182 cm (6 ft) long for a burial plot and (2ft) by (2ft) for a children's Cremated Remains plot.

Unpurchased, Communal (Public) graves

These are used for the burial of people who do not already own a purchased grave, and whose family do not wish to purchase the Exclusive Right of Burial at the time of making the funeral arrangements.

No memorials are permitted on unpurchased grave spaces.

The interment in an unpurchased grave may be in a grave where other burials have or may take place.

Information regarding Memorials

General Information

There is no obligation to erect a memorial on a grave and the Council do not appoint or nominate contractors to provide or erect memorials. The right to erect a memorial rest with the Exclusive Right of Burial deed holder.

A memorial may only be erected on a grave space within the cemetery subject to obtaining the Council's permission and upon payment of the appropriate permit fee.

The Council reserves the right to refuse permission of any memorial or inscription which it considers in appropriate or does not comply with its regulations. It is recommended that memorial stones are not placed on graves until at least one year after a burial, this is to allow the ground to settle. In sections where memorial landings have been provided memorials may be installed immediately, once permission has been granted. The Council will not be held responsible for subsidence of memorials.

All memorials must be installed by a BRAMM or NAMM registered stone mason.

A static anchored Memorials may only be installed upon graves which has a current valid Exclusive Right of Burial issued. With a minimum of 25 years being initially purchased.

New kerbstones are not permitted in the Cemetery. Permission needs to be sought from the Town Hall for any remedial work to any existing old kerbstones in the old part of the Cemetery. Such work must be undertaken to NAMM or BRAMM standards.

In the event of a request for an inscription in a foreign language, this must be accompanied by a translation in English and countersigned by a responsible person of the same faith.

All applications must be signed by the Exclusive Right of Burial holder or if the grave owner is deceased, the ownership must be transferred before this application can be submitted and approved for a new memorial. Where an additional inscription for the deceased grant holder is required and there are no living grant holders, the applicant for the burial must sign.

Memorials shall not be altered, repaired, or removed once erected. Any such work is subject to application using the Memorial Permit Application and paying the prescribed fees.

All cleaning of memorials is subject to submission of the memorial cleaning form which must be signed by the grant holder.

All memorials placed in Stamford Cemetery are done so at the risk of the Registered Grave Owner(s), and the Stamford Town Council is not responsible for any loss or damage.

It is recommended that appropriate insurance cover is obtained by the registered grave owner for the memorial to insure against all risks. Further information can be obtained from your appointed Memorial Mason.

Anyone who undertakes any memorial work within a cemetery not in compliance with these regulations will be required to remove the said memorial and pay all costs involved.

Visual and manual checks are undertaken routinely to meet the stability testing requirements. Any memorial found to be in such a dangerous condition to the public will initially be laid down and Grant own notified.

Please see Memorial Regulation document for further details

Memorial Benches

Only benches ordered through Stamford Town Council will be permitted to be placed in the cemetery grounds. Stamford Town Council reserves the right to remove and dispose of any other benches placed within the cemetery without permission.

Non-Compliant items

Stamford Town Council is not responsible for any damages or loss of the unauthorised item.

For reasons of safety and in order to maintain a dignified environment within the cemetery the following items are not permitted.

Glass containers, vases etc

Glass jars or vessels will not be allowed, if so done, the container will be removed without warning, this includes glass, plastic, thin pottery, or thin metal. Memorial vases must be placed in the head row (NOT on the grave space) and only two memorial vases per plot.

NO GLASS, TINPLATE, PLASTIC or PORCELAIN or anything of a shatterable nature for containers of flowers will be allowed under any circumstances and will be removed without notice.

Kerb Sets & Chippings

Kerb sets are not permitted anywhere on the grave or head row. Kerbs set which were allowed to be erected prior to 1.8.1975 are allowed to be re-erected, adjoining existing kerbs, or memorials, the space between the two is to be concreted over at the expense of the person having the kerb re-erected. N.B. no new kerbs are allowed in any part of the Cemetery, nor any tomb or flat stone, except as heretofore provided, is to be laid over any grave.

Chippings should not be placed on a grave space or in the head row except in the designated garden area. Chippings which were allowed to be laid prior to 1.8.1975 these are allowed to be replenished at the expense of the person having the chippings replenished as when strimmers/grass cutters are used chippings may be picked up and damage headstones or cause injury to operators of the machinery.

Should an unauthorised item be placed on a grave, every effort will be made to contact the deed owner and request removal. Should it not be possible to contact the deed owner, a notice will be attached to the item allowing the Deed



owner or a relative a suitable amount of time to remove the item concerned. If after the given period, the item is not removed the cemetery staff will be instructed to do so.

Floral tributes, wreaths, trees, and shrubs

Floral tributes may be placed on a grave on the day of the burial and may, if deemed necessary, be removed by cemetery staff four weeks after the burial.

Flowers must be placed in a vase, either a memorial vase in the head row or in the memorial stone vase.

The Council does not undertake to keep the plants upon any grave either under its charge or otherwise, duly watered, where special attention is required in any case, arrangements must be made with the Council.

The Council reserve the right to prune, cut down, dig up and remove any of the shrubs, plants, flowers or wreaths at any time when in its opinion or that of the Cemetery Officer the same having become unsightly or overgrown, or where necessary for the purpose of allowing the grave to be used again.

No trees can be planted in any part of the Cemetery except by the Council:

Conifers, trees, and large shrubs you are not to planted within the grave space or head row. Any existing planting which has overgrown the grave space will, with consultation with the exclusive right of burial holder, be removed.

Cemetery personnel will remove all funeral flowers and oasis displays, or other floral tributes real and artificial when they become unsightly.

To avoid accidents and to retain a well-maintained appearance, damaged/broken or discarded items found on all burial areas will be removed and disposed of.

Christmas Wreaths

If you wish to place a Christmas wreath or a similar tribute on the grave of a loved one, please feel welcome to do so. I am sure you will appreciate that if left for a long time they can damage the grass, deteriorate, and become unsightly. It is for these reasons that we remove all wreaths immediately following 31 January.

Change of Address

Please advise the cemetery office of any change of address so that we can update our cemetery records. This is very important should there be a need for future correspondence.

Duty of Care

Stamford Town Council

Stamford Town Council has a responsibility to ensure the cemetery is safe for all users and employees. This may include the inspection of memorials to ensure they are safe.

Memorial Masons

Stonemasons have a duty to ensure all work on memorials is carried out in a safe manner and that memorials are safe.

Owners of Memorials

In the case of memorials, the primary responsibility for ensuring they are safe rests upon the owner of the grave or memorial. It is their responsibility to ensure the memorial is maintained to a safe standard.

Appendix 1

Extract from Amenities Committee meeting 26 October 2010

New Burial Section - The Town Clerk reminded the Committee that earlier in the year the new ‘Lawn’ section of the cemetery had begun to be used. In respect of the Church of England section, legal guidance had been sought in respect of consecration. The legal guidance obtained stated that Burial Grounds do not have to be consecrated. If they are, they then become subject to Church of England control and Ecclesiastical Law and not English Law. This means that any work to a plot or memorial requires a faculty from the Church of England. This is used particularly in church yards and regulates, amongst other things, memorial design, and inscriptions. This ultimately might have cost implications for some of those holders of Exclusive Right. Lincolnshire Association of Local Councils has recommended that there is no obligation for the Town Council to consecrate civic cemeteries. There appears little point other than that of tradition, as the church does not make any financial contribution. Burial plots are ‘blessed’ at the time of burial across all denominations. From advice received this course of action appears to be adequate and satisfactory.