

HORNSEA TOWN COUNCIL

Rules and Regulations for the management of Edenfield and Southgate Cemeteries



Rules and Regulations for the Proper Management, Regulation and Control of Cemeteries for which The Hornsea Town Council is the Burial Authority

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1. Introduction

These rules and regulations are made pursuant to the Local Authorities Cemeteries Order 1977 and the Local Government Act 1972 and shall be known as the Hornsea Town Council Cemetery Regulations.

The Hornsea Town Council is the statutory burial authority for the following cemeteries which are administered by Hornsea Town Council and to which these rules and regulations apply:

CEMETERY	ADDRESS
Southgate	Southgate Hornsea East Yorkshire
Edenfield	Marlborough Avenue Hornsea East Yorkshire

1.2 Cemetery Grounds and Facilities

Facility	Cemetery
Burials in Lawned Section	Southgate, Edenfield
Garden of Rest	Edenfield
Designated area for scattering of Cremated remains	On Request
Seating	Southgate, Edenfield
Toilets	Edenfield
Vehicular Access	Edenfield

Dwarf Wall	Edenfield
Columbaria	Edenfield
Woodland	Edenfield

2. Burials and Exhumations

2.1 Purchase of a Burial Plot/Right (deed)

- 2.1.1** The application for a burial can be made to the Administration Section, Town Hall, 75a Newbegin, Hornsea, East Yorkshire. HU18 1PA, or in person between the hours of 9.00am to 4.00pm Monday to Friday.
- 2.1.2** Applications may be made before or after a Bereavement/death.
- 2.1.3** Applicants will be issued with an Exclusive Right of Burial (deed). This allows interment in a burial plot allocated by the Burial Authority within the current working section of the cemetery.
- 2.1.4** Purchase of a burial plot outside the current working section of the cemetery is not permitted.
- 2.1.5** The Burial Right must have the full names of any deed holders – deeds cannot be in the name of “Mr & Mrs”
- 2.1.6** New deeds cannot be in the name of the deceased person
- 2.1.7** The number of deed holders should be between 2 - 4

2.2 Notice of a Burial or Exhumation

- 2.2.1** A written notice/interment form must be lodged with the Administration Section, Town Hall, 75a Newbegin, Hornsea, HU18 1PA before any burial.
- 2.2.2** Normally at least 2 weeks notice will be needed for a burial in an earthen grave. Ashes interments in the Garden of remembrance/dwarf wall/columbaria/woodland area may be arranged sooner.
- 2.2.3** Only the deed/burial right owner can effect an interment and must sign the interment form
- 2.2.4** A copy of the burial right/deed must be provided to the Burial Authority before any interment/burial can take place

2.3 Restrictions Applying to Exclusive Rights of Burial

- 2.3.1** Where a burial plot has been purchased and an Exclusive Right of Burial has been granted, the plot will not be opened or used for a burial unless instructed by the Burial Right/deed holder and a copy of the Burial Right/deed has been provided to the Burial Authority.

- 2.3.2 An Exclusive Right of Burial lasts for a period of 99 years from date of issue.
- 2.3.3 It is essential that the deed holder notifies the council of any change in address.

2.4 Transfer of an Exclusive right to Burial

- 2.4.1 An Exclusive Right of burial may be/need to be transferred to another person or back to the Burial Authority. This is formal procedure and should be discussed with the Burial Authority.
- 2.4.2 As only the deed holder can effect an interment or place a memorial on any grave the burial right (deed) may need to be transferred before an interment can take place and/or a memorial is erected
- 2.4.3 A FORM OF ASSIGNMENT will be required to transfer a deed when the existing deed holder is still alive
- 2.4.4 STATUTORY DECLARATION will be required when a deed holder is deceased and the deed is being transferred to A N Other
- 2.4.5 FORM OF RENUNCIATION will be required when any siblings do not want to take ownership of burial right (grave deed)
- 2.4.6 NO INTERMENT CAN TAKE PLACE AND NO MEMORIAL CAN BE ERECTED OTHER THAN AT THE REQUEST OF THE DEED HOLDER

2.5 Burial Procedures

- 2.5.1 Burials can only take place on production of a burial right (deed) at the request of the deed holder. Interment of ashes should be arranged directly with the Burial Authority and do not require production of a deed.
- 2.5.2 The timing of all burials must be between:

Monday to Thursday
 9.00am to 2.00pm
 Friday
 9.00am to 1.00pm

(interment of ashes timings are more flexible—please contact the Burial Authority to discuss further)

- 2.5.3 All graves shall be dug, and following a burial, shall be reinstated by the Burial authority who will ensure that the grave complies with the maximum standard set out in the 1977 Local Authority Cemeteries Order.
- 2.5.4 Only coffins of wood (or other materials approved by the Burial Authority) should be used.

2.5.5 It is the duty of the Burial Authority and each Funeral Director to ensure that all graves comply with the minimum standards set out in the Local Authority Cemeteries Order 1977.

2.6 Scattering of Cremated Remains

2.6.1 The scattering of cremated remains within the cemeteries is not permitted other than by prior arrangement with the Burial Authority.

2.6.2 The strewing or interment of cremated remains is not permitted in any part of the cemetery other than within the confines of a specific grave/columbaria/dwarf wall/woodland area and can only be carried out using a vessel purchased for that purpose in accordance with the Council's procedures and current Health and Safety at Work Regulations

2.7 Written Records

2.7.1 It is the duty of the Burial Authority to complete and keep records of all burials and exhumations. The co-operation of Funeral Directors in completing the necessary records is required.

2.7.2 Information on burial records etc can be obtained from the Burial Authority between 9.00am and 4.00pm Monday to Friday.

2.7.3 An administration charge of £20.00 (reviewed annually) will be payable for any search of burial records etc.

2.8 Exhumation

2.8.1 No cadaver or cremated remains may be disturbed or removed without producing to the Council the faculty or licence authorising exhumation. The Council will charge a fee for administration in connection with considering and/or providing approval for such matters applicable at the time.

3. Memorials – Maintenance/Fixing/Construction

3.1.1 Permission must be obtained from the Burial Authority prior to the erection of any headstone, memorial or cutting of any inscription. The Burial Authority reserves the right to refuse the erection of any headstone if the base or headstone is not of the specified type or dimensions.

3.1.2 No operation of any kind or on any grave plot shall be permitted without the prior consent of the Deed holder and the written permission of the Burial Authority. The Burial Authority may remove any memorial or other structure which is erected without consent or erase any unauthorised inscription. The cost of removal will be recovered from the person making the unauthorised installation.

- 3.1.3 No memorial shall be removed from a cemetery without the agreement of the Burial Authority.
- 3.1.4 All work carried out on memorials must be done by a monumental mason who is registered and approved by Hornsea Town Council.
- ALL MEMORIAL MASONS WORKING IN THE EDENFIELD AND SOUTHGATE CEMETERIES MUST BE REGISTERED TO EITHER BRAMM – British Register of Memorial Masons OR RQMF – Register of Qualified Memorial Fixers AND PROOF OF THIS MUST BE OBTAINED PRIOR TO ANY WORK BEING CARRIED OUT IN EITHER CEMETERY.**
- 3.1.5 Any memorial or headstones must be erected in a manner agreed with the Burial Authority to maintain safety. All persons erecting memorials or headstones should produce public liability insurance to a value of £5m.
- 3.1.6 Memorials and Headstones shall not exceed 3ft in height inclusive of base, 3ft in width and 4in in thickness. If any headstone erected exceeds this size the Burial Authority reserves the right to notify the Deed holder and remove such headstones at the expense of the Deed holder.
- 3.1.7 Existing headstones removed for further inscriptions must be reinstated in accordance with rule 3.1.5 above.
- 3.1.8 The Deed holder is responsible for the removal and re-fixing of a memorial before and after a second burial. Only monumental masons registered and approved by the Burial Authority may undertake such work. The Burial Authority and its employees will accept no responsibility or liability for any damage or injury to any person caused by such actions.
- 3.1.8 Headstones and Memorials may be of natural stone only and as approved by the Burial Authority
- 3.1.9 Memorial plaques may be ordered through the Burial Authority.
- 3.1.10 Headstones and Memorials shall be fixed in an approved manner. All headstones shall be fixed with NAMM fixings.
- 3.1.11 Monumental masons shall be required to take all necessary precautions to protect the grass, trees, plants, walls, paths and adjacent memorials and graves from damage and the area shall be completely cleared of materials, tools and rubbish when work is not in progress. Any damage caused shall be made good at the Mason's expense.
- 3.1.12 **The grave plot number must be inscribed on the base of the Headstone/Memorial.**
- 3.1.13 Memorials and Headstones must be prepared ready for fixing before being taken into the cemetery. Materials or tools may not be stored or left within the cemetery on completion of the work.
- 3.1.14 Memorials are placed at the owner's risk. The Burial Authority or its employees are not responsible for loss or damage done to any grave space or memorial or injury to any person within the cemetery. The Deed Holder is advised to insure the headstone against damage or vandalism.

3.2 Maintenance of Burial Plots/Memorials

- 3.2.1 The Deed holder shall maintain the memorial in a safe condition. The Burial

without further notice to prune, cut down or remove any planting which has become unsightly or overgrown.

The planting of any type of tree, shrubs or plants in the cemetery grounds is totally prohibited by the Burial Authority. The deed holder shall not position any mementos or memorabilia upon the grave or within the cemetery grounds. If this occurs the Council will remove and dispose of all such items. This includes ornamental fencing, kerb sets, pebbles and gravel, religious symbols of any type or material, glass flower vases/containers or any other container or memorial/memento deemed inappropriate to the cemetery situation (jam jars, milk bottles etc). Any alcoholic beverage shall be immediately removed by the Burial Authority.

3.2.3 The Cemetery is maintained as "lawned section". Plots will be grassed after a period of 6 months following interment or following "settling" of the grave plot which ever is soonest. The Burial Authority is responsible for the topping up and grassing/turfing of grave plots

3.2.4 Within the main cemetery grounds, Dwarf Wall/Columbaria/Woodland section the Burial Authority does not allow plant pots, plant holders, mementos or other items to be placed around the memorial or on the burial plot. Floral tributes may be placed in vases or containers within the memorial.

3.2.5 Glass vases or any other item manufactured from glass are not permitted in the cemetery.

3.2.6 Beer cans/alcohol are not permitted on graves/memorials and will be removed immediately and without further notice by Burial Authority staff.

Only funeral wreaths, sprays and fresh cut flowers may be laid on the grave plot on regular occasions for a period not exceeding 6 months following the funeral. It is important that faded flowers are removed. The Burial Authority reserves the right without further notice and after a period of 6 months following any interment to remove the following items:-

- e.g.:
- Dead flowers
- Christmas Wreaths
- Mementoes

(Any mementoes removed will be stored for collection (by prior arrangement))

3.2.7 The Burial Authority reserves the right **WITHOUT NOTICE** to remove any item which, in the opinion of the Burial Authority, poses a risk to its staff, contractors or other visitors

4. Conduct within the Cemetery

- 4.1** No person shall:
 - 4.1.1** Wilfully create any disturbance
 - 4.1.2** Commit any nuisance
 - 4.1.3** Wilfully interfere with any burial taking place nor
 - 4.1.4** Wilfully interfere with any grave or vault, any tombstone or a memorial, or any flowers or plants
- 4.1.5** Play any game or sport in a cemetery. Breach of these rules may amount to a criminal offence.
- 4.2** Children under twelve years of age should be accompanied by a responsible adult when visiting a cemetery.
- 4.3** Dogs will be allowed into the cemetery but **MUST** be kept on a lead. Any person allowing a dog to foul in the cemetery is committing a criminal offence and may be prosecuted.
- 4.4** Visitors are welcome but should keep to defined road-ways and paths. No rights of way are created by these rules.
- 4.5** Cars may be permitted to enter the cemetery for the purpose of attending a burial plot/funeral/interment but must not be driven/parked on the grass. Bicycles should not be ridden in cemeteries.
- 4.6** Any contractors or delivery staff must contact the Burial Authority to make arrangements prior to any work commencing or deliveries being made.

5. Fees and Payment

- 5.1** Fees and charges will be reviewed annually.
- 5.2** All fees must be paid to the Burial Authority within one month of the date of invoice and/or at the discretion of the Town Clerk.

GENERAL NOTICE:

NEITHER THE BURIAL AUTHORITY (HORNSEA TOWN COUNCIL) NOR ANY COUNCILLOR, MEMBER OF THE COUNCIL OR STAFF WILL ACCEPT ANY LIABILITY FOR LOSS OR DAMAGE TO PROPERTY OR FOR DEATH OR INJURY TO ANY PERSON CAUSED DURING THE APPLICATION OF THESE RULES AND REGULATIONS OR WHILST CARRYING OUT THEIR DUTIES AND RESPONSIBILITIES IN

6. **Contact details for enquiries**

CEMETERIES ADMINISTRATION:

Town Hall
75a Newbegin
Hornsea
East Yorkshire
HU18 1PA
Telephone: 01964 532252
E-mail: clerk@hornsea.gov.uk

Town Clerk:

Mrs Joanna Richardson
E-mail: clerk@hornsea.gov.uk

Deputy Town Clerk:

Mrs Chris Berry
E-mail: chrisberry@hornsea.gov.uk

Administration:

Mrs Nichola Thornton
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