

PENDLE BOROUGH COUNCIL



CEMETERIES RULES AND REGULATIONS

In accordance with the Local Authorities Cemeteries Order 1977

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PENDLE BOROUGH COUNCIL

Regulations for the General Management Control and Regulation of all Cemeteries within the Authority of the Pendle Borough Council.

INTERPRETATION OF TERMS

In the construction of these Regulations, the following words have the meanings hereinafter respectively assigned to them, that is to say:

“The Council” means the Mayor and Councillors of the Borough of Pendle.

“The Cemeteries” means the cemeteries provided by the Council at Barnoldswick, Barrowford, Colne, Earby, Nelson and Salterforth, within the said District of Pendle.

“Purchased Grave” means a grave space where the exclusive right of the burial has been granted.

“The Service Manager, Parks and Recreation Services” means the person for the time being holding office by that designation under the Council and the person who shall be acting for him in his absence.

“Memorial” means any gravestone, tomb, monument, cross, flatstone, or other monumental work.

GENERAL

- 1 The office of the Service Manager, Parks and Recreation Services shall be open on Mondays to Fridays inclusive from 9.00 am to 4.00 pm. The office will not be open on Saturdays, Sundays and Statutory Holidays except at the discretion of the Service Manager, Parks and Recreation Services.
- 2 Plans showing the general divisions and particular sections of each cemetery together with the grave spaces therein are available for inspection at the office of the Service Manager, Parks and Recreation Services and may be seen free of charge during office hours.
- 3 The cemeteries shall be open to the public daily from 8.00 am until 7:00pm.
- 4 Children under 10 years of age will not be admitted to the cemeteries except under the control of a responsible person.
- 5 Shrubs, plants, flowers, growing within the cemeteries, whether on graves or otherwise, must not be pulled, cut or damaged in any way whatsoever.

- 6 Any person who wilfully destroys or damages any building, wall or fence within or surrounding the cemeteries shall be liable to reimburse the Council for any such damage caused.

No person shall put up any bill on any such building, wall or fence, nor daub or disfigure the same in any way whatsoever, nor wilfully destroy injure or deface any memorial within the cemeteries, nor play at any game or sport, nor discharge any firearms (save a military funeral) nor wilfully disturb any persons in the cemeteries.

- 7 Dogs must be kept on a leash and under proper control within the cemeteries. It is a statutory offence in all cemeteries if dog faeces are not removed.

- 8 In Nelson cemetery it is a statutory offence not to have your dog/dogs on a leash, not to remove the dog faeces and to be in charge of more than one dog at any one time.

- 9 No motor vehicles (except those in attendance upon a funeral) shall be allowed to enter the cemeteries without prior permission of the Service Manager, Parks and Recreation Services. No vehicle shall at any time exceed a speed limit of five miles per hour within the boundaries of the cemeteries. No person shall be allowed to trespass on or use the roads in the cemeteries or walks for the conveyance of goods or other materials not intended for use therein. Cycling within the boundaries of the cemeteries is prohibited.

No person shall conduct himself in a disorderly manner either by word or deed within the cemeteries and any person offending against this regulation shall thenceforth during the pleasure of the Council be excluded from the cemeteries.

- 10 No band or music shall be allowed to play in the cemeteries except by special permission of the Council.

- 11 No demonstrations of any kind, save as aforesaid, shall be held in the cemeteries without the special permission of the Council and no person or persons by singing or otherwise shall cause any gathering of people therein and any person or persons causing such demonstrations or gatherings shall be expelled from the cemeteries.

- 12 No person shall be allowed, except on business, to enter any offices or enclosures within the cemeteries and no person shall be permitted to enter or leave the cemeteries except by the proper entrance gates.

- 13 Visitors or others attending the cemeteries shall not interrupt the workmen or labourers at their duty nor employ them to plant graves or execute any private work whatsoever. Cemetery employees are strictly forbidden to receive gratuities.
- 14 No person shall be allowed to tout for or solicit orders, exhibit designs, distribute tracts, business cards or advertisements within the cemeteries, nor take measurement of, photograph or copy any memorial without the written consent of the owner which must be first produced to the Service Manager, Parks and Recreation Services.

BURIALS

- 15 At least 48 hours notice on the form obtainable at the Service Manager, Parks and Recreation Services's office shall be given to the Service Manager, Parks and Recreation Services for an interment in a purchased grave, and at least 48 hours notice for an interment in a common grave, such notices to be exclusive of any day on which the office is closed in accordance with Regulation 1. If the interment is fixed for a Monday, notice thereof shall be given before 12 noon on the previous Thursday. At least 96 hours notice (exclusive of any day on which the office is closed as aforesaid) shall be given if a vault or bricked grave be required.
- 16 Any notice given by telephone will be received at the sole risk of the person giving such notice and the Council will not be responsible for any misunderstanding which may arise with regard to orders or instructions sent by telephone unless immediately confirmed in writing.
- 17 When a vault is required to be constructed, special arrangements for such construction shall be made with the Service Manager, Parks and Recreation Services.
- 18 No purchased grave or vault shall be opened unless the Grant of Exclusive Right of Burial has been produced. In all other cases a statutory declaration will be required.
- 19 All orders for interment must be made on the form obtainable from the Service Manager, Parks and Recreation Services's Office and the person ordering the interment is responsible for completing this form.
- 20 The hours prescribed for interments are 10.00 am to 3.00 pm Mondays to Fridays.

No interments will be allowed on Saturdays, Sundays or Statutory Holidays, except at the discretion of the Service Manager, Parks and Recreation Services.

The times stated are the latest at which funeral processions must arrive at the gates of the cemeteries, and must be strictly observed. Interments may take place at other hours than those mentioned subject to special arrangements being made with the Service Manager, Parks and Recreation Services.

- 21 The Certificate of Disposal of the person to be interred or the Coroner's Order for burial authorising the interment must be produced and given up and all fees and charges payable to the Council in accordance with the Table of fees appended to these Regulations must be paid to the Service Manager, Parks and Recreation Services before any interment takes place. In the case of a stillborn child, the Certificate of Disposal (Still-birth) issued by the Service Manager, Parks and Recreation Services of Births and Deaths must be produced and given up before the interment.
- 22 Purchasers of graves may select the sites thereof subject to the approval of the Service Manager, Parks and Recreation Services.
- 23 All work in connection with an interment shall be carried out by staff in the employ of the Council.
- 24 All grave spaces will be dug to such depth as the Council may think fit, but in no case will a grave be dug to a greater depth than the nature of the ground will allow and no grave will be allowed to be deepened after the first interment.
- 25 No grantee of exclusive right of burial of a grave space in the ownership of the Council shall convey, assign or transfer such right without the prior written consent of the Council.

On the death of a grantee of exclusive right of burial the person claiming under him must satisfy the Council that he is the person property entitles and must furnish satisfactory proof of his claim thereto.

Every transfer (other than by will or on intestacy) shall be prepared by the Council at the expense of the transferee.

FLOWERS AND SHRUBS ON GRAVES

- 26 Shrubs, plants or flowers may be planted within a 500mm (18inches) square area at the base of the memorial stone on purchased graves. It must be maintained in a tidy, weed free condition to include clipping of any grass edges to the grave.
- 27 Any grave not adequately maintained will, after written notice to the deed holder, be reinstated to lawn.

- 28 The Council will contract with the owner of a grave space or turf, plant and keep in order their grave space upon payment of the appropriate charge.

The Council will not allow any grave space to be “banked” and all graves must be level with the surrounding ground.

- 29 Metal or other flower holders of an ornamental character may be placed upon private graves either within the memorial or within a 500mm (18inches) square area at the base of the memorial stone. Glass globes, jars, glass bottles, solar lights, candles, mobiles, or other unsightly articles will not be allowed. The Service Manager, Parks and Recreation Services shall be at liberty to remove from any grave any moveable articles which are broken or unsightly and any flowers or wreaths which are withered or dead.

MEMORIALS

- 30 Only memorial masons who are BRAMM registered and have an up to date Fixers License will be allowed in any Cemetery administered by the Borough of Pendle

- a. Before any memorial is erected in the cemeteries an application on a form provided by the Service Manager, Parks and Recreation Services must be completed and returned to the Service Manager, Parks and Recreation Services's office. The application must be accompanied by drawings or plans drawn to the scale, with dimensions figures thereon, a specification of the materials to be used for the work, details of all fixings including dowels etc and copies of every intended inscription.

All memorials must be fixed in accordance with the NAMM Code of Working Practice and the current British Standard.

- b Memorials on a single grave shall not exceed 1050 mm (3 feet 6 inches) in height (including pedestal) by 900mm (3 feet) in width and 375mm (1 foot 3 inches) in depth from back to front, and shall be placed at the head of the grave. Foundations for such memorials shall be in accordance with NAMM/BRAMM regulations and the current British Standard appertaining at the time. Where two single memorials are erected on a double grave, neither memorial shall exceed the above dimensions.

- c Single memorials on double grave spaces shall not exceed 1350mm (4 feet 6 inches) in width by 375mm (1 foot 3 inches) in depth from back to front and shall be placed at the head of the grave. The foundations for such memorials shall be in accordance with NAMM/BRAMM regulations and the current British Standard appertaining at the time. No part of any memorial shall exceed 1050mm (3 feet 6 inches) in height.
 - d No memorial shall be erected on any grave other than a vault or grave with a concrete foundation until at least six months after interment.
 - e No memorial in the form of a rockery or railings shall be allowed to be placed on any grave.
 - f No kerb stone shall be allowed to be placed on or around any grave in any part of the cemeteries, with the exception of plots 22 and 23 at Nelson Cemetery.
 - g At Nelson Cemetery plots 22 and 23 are designed for interment with kerbed graves provided that any such kerbing shall be in stone and be in keeping with the memorial and all work be undertaken by a monumental mason. As per paragraph 31 above.
 - h Requests for the erection of kerbs on other burial areas within Nelson Cemetery shall be at the Council's discretion.
- 31 No brick or stone (except a numbered stone for the purpose of identification) shall be used in or upon, nor any memorial be erected or laid over any common grave.
- All brick, stone or other work in or about vaults or graves, including the provision of foundations for and the removal or re-fixing of memorials shall be executed by employees or the Council at the expense of the owner of the grave unless otherwise arranged by special arrangements with the Service Manager, Parks and Recreation Services.
- 32 No memorial shall be erected upon any grave without the production of the Grant of Exclusive Right of Burial or without proof that the applicant is the proper person to do so.

- 33 No memorial shall be removed from or interfered with after it has been erected in any cemetery according to the designs submitted to the Service Manager, Parks and Recreation Services, nor shall any additional inscription be cut thereon, nor shall any work be done upon or in connection therewith without the previous consent of the Service Manager, Parks and Recreation Services. Any person offending against this Regulation shall thenceforth, during the pleasure of the Council, not be allowed to work within any of the cemeteries in any manner.
- 34 All design work on memorials shall be completed before they are admitted to any cemetery. Materials shall be carefully removed from the vehicles conveying the same and placed as directed by the Service Manager, Parks and Recreation Services.
- 35 No monument or memorial shall be constructed of brick, plaster, wood, soft stone, artificial stone or any synthetic material, zinc iron or other metal, nor any other material which may be short lived.
- 36 All memorials of whatever description admitted to the cemeteries or permitted to be erected therein shall be so erected and remain at the sole risk of the owner thereof. All memorials, if moved by employees of the Council on the occasion of the opening of the grave, will be moved and replaced at the risk of the owner.
- 37 Each and every memorial will be subjected to a stability/safety test some 28 days after erecting and subsequently on at least a 5 year cycle. Any defects identified as a result of these tests will be notified to the grave owner whose responsibility it is to affect repairs.
- The Council shall not be held responsible for any damage or injury to any memorial howsoever caused.
- 38 Every memorial shall have cut upon it the number of the grave or vault over which it is to be erected.
- 39 Monumental masons may, if they so desire, cut their names in letters not exceeding 22mm (three quarters of an inch) on height either on the back or side of the base of the memorials only.
- 40 Workmen employed in the erection, inscription, cleaning or repairing of memorials shall only be allowed to work in the cemeteries between the hours of 8.30 am and 4.00 pm and no person shall be allowed to work in the cemeteries on any Saturday, Sunday or Statutory Holiday.
- 41 All monuments, gravestones, purchased graves and memorials, shall be kept neat and clean by the owners thereof. If a memorial is in any way considered to be in a dangerous condition, the Council reserves the right to remove it.

- 42 The Council reserve the right to make alterations in the foregoing Regulations and any others which may be made by this Council.
- 43 The above Regulations shall supersede all other Regulations relating to the cemeteries.