



High Peak Borough Council

Cemetery Regulations

HIGH PEAK BOROUGH COUNCIL

Cemeteries Service

HIGH PEAK BOROUGH COUNCIL CEMETERY REGULATIONS

INTERPRETATION

(1) The following regulations shall apply to Buxton Cemetery; Glossop Cemetery; Green Drive Cemetery, Hope; Thornsett Cemetery, New Mills, and any other cemetery which may be established by or come under the control of High Peak Borough Council after the adoption of these regulations.

In these rules and regulations, unless the context otherwise requires, the following words and expressions shall have these meanings assigned to them;-

‘Cemetery’ means any place provided by the Council for the interment of human remains and any reference to ‘the Cemetery’ shall refer to any or all of the cemeteries to which these regulations apply.

‘Council’ means High Peak Borough Council.

‘Exclusive Right of Burial’ means the exclusive right, granted by deed, of the registered owner to determine who may be interred in or commemorated on the grave in question; such exclusive right to be for a limited period determined by the Council.

‘Grave’ means a burial place formed in the ground by excavation and without any internal wall of brickwork, stonework or any other lining.

‘Grave space’ means that area allowed by the Council for the establishment of a grave.

‘Grave deed’ means the deed of grant of exclusive right of burial in a private grave or vault.

‘Inscription’ means a reference on a memorial to ONE deceased person, whether that person be interred in the grave or not.

‘Additional Inscription’ means each inscription, inscribed after the first inscription, to ONE other deceased person, whether that person be interred in the grave or not.

‘Memorial’ means any memorial, including any gravestone, headstone, vase, tablet or other object placed on a grave space.

‘Plate’ means the upright, inscribed part of a lawn memorial.

‘Private Grave/Vault’ means a grave or vault where the exclusive right of burial is granted.

‘Public Grave’ means a grave in which no exclusive right of burial will be granted by the Council and in which unrelated persons will be interred; formerly referred to as a Common or Paupers Grave.

‘Authorised Officer’ means that person, for the time being, appointed by the Council, or the person who shall be acting for him, on his behalf or in his absence.

‘Vault’ includes underground burial places of every description except graves to which the word grave, as interpreted above, applies.

‘Contractor’ means any person employed by the Council.

‘NAMM’ means The National Association of Memorial Masons.

MANAGEMENT OF THE CEMETERIES

(2) The cemeteries will be open to the public on such days and during such hours as the Council may, from time to time, determine.

At the time of adoption of these regulations by the Council the cemeteries will be open daily during the following hours:- 8:00 to sunset.

Any unauthorised entry when the cemeteries are closed to the public contravenes the Local Authorities' Cemeteries Order 1977, Section 18(2).

(3) All persons entering the cemetery will be subject to the orders and control of the Council.

All persons shall conduct themselves in a decent, quiet and orderly manner; and Are reminded of the provisions of The Local Authorities' Cemeteries Order 1977, Section 18(1) as below:-

No person shall:-

- (a) Wilfully create any disturbance in a cemetery
- (b) Commit any nuisance in a cemetery
- (c) Wilfully interfere with any burial taking place in a cemetery
- (d) Wilfully interfere with any grave or vault, any tombstone or other memorial or any flowers or plants on any such matter
- (e) Play at any games or sport or discharge firearms (save at a military funeral) in a cemetery.

Visitors to the cemetery shall not unreasonably interrupt the Council's employees or their contractors at their duties, or employ them to execute private work within the cemetery or extend to them any gratuity. All enquiries, complaints and requests by members of the public must be made to Town Hall, Market Place, Buxton, Derbyshire, SK17 6EL and not to the workmen employed in the cemetery.

No animals shall be permitted to enter the cemetery other than guide dogs for the blind and where a right of way exists in the cemetery.

(4) Children under the age of 12 will not be permitted in the cemetery except under the care of a responsible person.

(5) No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit orders for the same, within the cemetery.

(6) Any person using a motor vehicle in the cemetery shall only do so on a carriageway suited to the purpose, except with the consent of the Authorised Officer.

(7) All visitors to the cemetery must keep on the footpaths or roads except whilst visiting a grave or vault.

(8) No person shall drop, throw or otherwise deposit and leave in the cemetery any litter or refuse of any kind except in the receptacles provided for the purpose.

(9) The taking of photographs within the cemetery shall be subject to the approval of the Authorised Officer, who may demand production of the Deed of Grant of Exclusive Right of Burial or an indemnity in the Council's favour where it is proposed to photograph a private grave or memorial.

(10) Smoking is prohibited near any place where an interment is taking place and in cemetery buildings.

(11) No employee of the Council or its contractor is to demand or receive any gratuity.

INTERMENTS

(12) Sections have been set apart in Buxton and Glossop Cemeteries for burials according to the rites of the established Church of England, the Roman Catholic Church and the rites of other denominations.

Hope, Thornsett and Glossop Cemetery extension are non-denominational.

In sections of the cemetery consecrated according to the rites of the Established Church, burials will only be permitted:-

- (a) in accordance with the rites of a Christian denomination; or
- (b) without any religious service, provided that any other rites are decorously performed.

(13) Interments may only take place in accordance with these regulations and between the during the following hours:

Months	First burial	Last burial
April to September	9.30am	3.00pm
October to March	9.30am	2.00pm

Interments will not normally be permitted on Saturday, Sunday, Good Friday, Christmas Day or on Public Holidays.

(14) The time appointed for an interment will be that at which the funeral cortège is to arrive at the entrance gate of the cemetery where the interment is to take place. The Funeral Director or person in charge of the funeral arriving after the appointed time must act under the direction of the Authorised Officer as to when the funeral service may proceed. A fee may be charged to the funeral director for late arrival.

(15) Prior telephone booking is required for every interment and must be confirmed in writing within 24 hours on a Notice of Interment. Such Notices shall be delivered to the Cemetery Office so as to allow a minimum of three clear days between the date of such notice and the date of interment.

All such periods of notice to exclude Saturday, Sunday, Good Friday, Christmas Day and Public Holidays.

The Council will accept no responsibility whatsoever for verbal arrangements where such arrangements have not been so confirmed in writing.

(16) The Notice of Interment must contain full details of the deceased; the proposed date and time of interment; the grave to be used, size of coffin and the signature of the owner of the Exclusive Right of Burial and a copy of the grave deed where available. If the grave deed is not available then a Statutory Declaration of Ownership (indemnity form) must be completed.

The Council will not accept responsibility for the consequences arising from the loss or delay of any such notice, order or other document sent by the post, nor for the accuracy of the details contained in the Notice of Interment.

(17) The foregoing regulations 13 and 15 may be waived in cases of emergency, certified by acceptable medical authority, in the interest of public health.

(18) The person arranging the interment shall be responsible for the attendance of the Minister of Religion to officiate at the burial service and for the payment of any fee to which the Minister is entitled.

(19) A certificate for disposal issued by the Registrar of Births and Deaths or a Coroners' order for burial must be delivered to the Cemeteries Service Office at Town Hall, Market Place, Buxton, Derbyshire, SK17 6EL for burials at Buxton, Hope, Glossop and Thornsett cemeteries before the burial takes place.

Any person procuring the interment without the production of such certificate or order will be required to make a written declaration on the prescribed form in accordance with Section 1(1) of the Births and Deaths Regulations Act 1926.

In the case of interment of cremated remains, a certificate for burial purposes, issued by the Cremation Authority, will be required.

In the case of foetuses, the Medical practitioner's Confirmation of Delivery of a Non-Viable Foetus.

(20) Every body brought into the cemetery for interment shall be contained in a suitable coffin, of perishable material, and shall be interred in that coffin.

Only biodegradable coffins, shrouds or other appropriate containers must be used in the Woodland burial areas. Plastic and other non-perishable fittings must not be used.

(21) All graves or vaults will be prepared by persons employed by the Council.

(22) No body shall be buried in a grave in such a manner that any part of the coffin is less than 3' 0" below the level of the ground adjoining the grave, provided that the Council may, where they consider the soil to be of a suitable character, permit a coffin to be placed not less than 2' 0" below the level of any ground adjoining the grave.

(23) No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave, on a previous occasion, by means of a layer of earth not less than 6" thick.

(24) 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 which is offensive.

(25) Every vault shall be properly constructed of suitable materials.

(26) Within 24 hours of any burial in a vault, the coffin shall be :-

- (i) embedded in concrete and covered in a layer of concrete not less than 6" thick; or
- (ii) enclosed in a separate cell or compartment of brick, slate, stone flagging or precast concrete slabs of a 1:2:4 mix, in any case not less than 2" thick, in such a manner as to prevent, as far as may be practicable, the escape of any noxious gas from the interior of the cell or compartment.

(27) After interment, no body or cremated remains may be removed from a grave or vault without the production of the ecclesiastical faculty and/or licence for exhumation required by law. The original documents will be required for this purpose.

(28) Ceremonies of a special nature are subject to the approval of the Authorised officer.

(29) The Authorised Officer may exclude from the cemetery, on the occasion of a funeral, any person or persons not being mourners or officially connected with such funeral.

(30) In the case of the re-opening of a private grave or vault, where written consent of the owner of the burial rights, the deed of grant of exclusive right of burial or other reasonable evidence of ownership cannot be produced, the Council will require to be indemnified against any action arising as a result of permitting the interment. The notice of interment form incorporates an indemnifying statement that must be signed in such instances.

EXCLUSIVE RIGHT OF BURIAL

(31) Grave spaces are available for the purchase of exclusive right of burial at all the cemeteries and in accordance with these regulations and the scale of fees and charges applicable to such purchase at that time. Each applicant must be issued with the appropriate explanatory leaflets.

Cremated ashes graves will normally be allocated in strict rotation within each section. A grave selected other than in rotation may be subject to an additional fee and will be subject to the approval of the Authorised Officer. Plans showing the grave spaces available are kept at the Cemetery Service's Office where they may be seen during normal office hours.

Families who desire a plot of ground as a family burial ground can purchase two or more continuous spaces.

The Council cannot be held responsible if, due to factors outside their control, the full number of interments in a grave cannot be achieved.

(32) All grants of exclusive right of burial will be made for a period of 80 years and thereafter, for any extension to this scheme, for a period not exceeding 50 years.

At the expiration of that period, the purchaser or his/her heir or successors, will have the option of renewing the exclusive right of burial, subject to such restrictions and regulations as may be in force at that time. Application should be made for renewal of the exclusive right of burial within 12 months of the expiration of the previous grant.

Where the period of grant of right of burial has elapsed and no notification of the intention to renew has been received from the person who held the right of burial, the Council may grant a renewed right of burial to another person, but before doing so will, where possible, notify the previous owner of the right, or his personal representative, and give option of renewal.

(33) Any transfer of ownership of exclusive right of burial will be subject to the production of satisfactory evidence of title and the approval of the Council. Such transfer must be registered in the records of the cemetery and the grave deed must be produced for endorsement at the Cemeteries Office and the appropriate transfer fee paid.

MEMORIALS

(34) A memorial may only be erected on a grave space within the cemetery in accordance with these regulations and upon payment of the appropriate fee. The right to erect a memorial will be for the unexpired portion of the Grant of Exclusive Right of Burial only.

(35) Application for approval to place a new memorial in the cemetery, alter or add to any inscription, or replace, add to or remove from the cemetery any memorial must be submitted to the Authorised Officer on the appropriate memorial or additional inscription form provided by the Council.

Such notice must be submitted at least 2 weeks in advance of the proposed date of erection and must include:

- (i) In the case of a new memorial, a drawing of the memorial and its specifications, including the nature and colour of the material to be used, and showing all dimensions, including those of any foundation slab, and all dowels and fixing methods / materials.
- (ii) Any text to be cut upon the memorial or any text to be altered or added to any existing memorial.
- (iii) The name, address and telephone number of the person placing the order for the monumental work to be undertaken, who should be the owner of the exclusive right of burial. If such owner is deceased the applicant must state their relationship to the deceased owner. If the owner is alive the applicant must state why the owner is not making the application.
- (iv) The grave number and name of the deceased.
- (v) The grave deed number (or a copy of the deed). If the grave deed is lost / not available, an indemnity form must be completed by the purchaser.
- (vi) The name, address and telephone number of the monumental mason.

(36) The approval of the Council for any such application is required before any work is undertaken. Any approval is issued on the understanding that the work undertaken will fully comply with the details of the Application Form and the requirements of these regulations and all relevant and current legislation (including NAMM code of working practice). Any work that does not so comply will not be permitted to remain in the cemetery. No permit is required for cleaning only; uprighting and levelling; repair of existing lettering, or painting of existing Portland memorials and / or inscriptions.

(37) No new memorials incorporating kerbs will be permitted in any of the cemeteries. Permission may however be granted to repair an existing authorised monument incorporating kerbs at the Authorised Officer's discretion. Repair includes the replacement of chippings.

(38) Kerbs removed in order to facilitate the opening of a grave for burial may be replaced at the Authorised Officer's discretion, however it is recommended that the grave should be lawned and that kerbs should not be replaced on the grave.

(39) All memorials shall comply the National Association of Monumental Masons Code of Working Practice (NAMM CoWP) and with the following, as appropriate:-

- (i) A 'headstone' may consist of a single upright gravestone or a headstone with base (i.e a lawn memorial constructed using appropriate steel dowels and mortar). Such base may incorporate one or two flower containers and include up to two vases, tablets or figures so long as they shall comply with the following regulations.
- (ii) Any vase, tablet or figure fixed to the base of a lawn memorial shall not be more than 12" high and shall not overhang the perimeter of the base.
- (iii) A vase or tablet may be placed on the grave directly adjacent to the memorial only if no room for a further inscription exists, and may not project further than 12" onto the grave surface and may not be wider than the base of the memorial. If space permits, any vase should ideally be placed at the side of the headstone.
- (iv) Alternatively, a memorial may consist of a natural stone vase not more than 12" x 9" x 9" fixed to a plinth not more than 12" x 12" x 2", of the same material, fixed on a concrete foundation of the same dimensions as the base.

(40) Memorials must be within the following sizes. The overall height from ground level of the memorial (including any foundation slab) must not exceed 3' 2", with ashes memorials at Buxton and children's memorials being a maximum of 2' 4" in height.

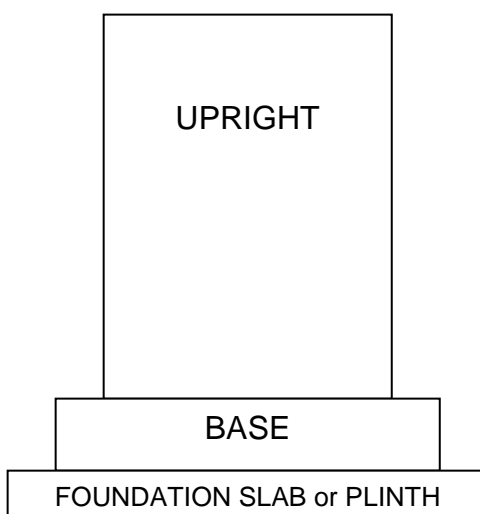
Buxton Cemetery

Burial Plots			Ashes and Children's Plots	
Headstone	Maximum	Minimum	Headstone	Maximum
Height	2'9" (840mm)	-	Height	2'0" (610mm)
Width	2'6" (760mm)	-	Width	1'6" (460mm)
Thickness	4" (100mm)	3"	Thickness	3" (75mm)
Base	Maximum		Base	Maximum
Width	3'0" (910mm)	-	Width	2'6" (760mm)
Depth	1'3" (380mm)	-	Depth	10" (250mm)
Thickness	5" (130mm)	3"	Thickness	4" (100mm)
Flat tablet or desk	Maximum		**The overall height (inc. foundation slabs etc.) of any memorial measured from ground level must not exceed 3' 2" for burial plots or 2' 4" for ashes and children's plots.	
Length	2' 0"			
Width	2' 0"			
Height (rear)	1' 0"			
Height (front)	3"			

Glossop, Hope and Thornsett Cemeteries

Burial and Ashes Plots			Children's Plots (Hope excepted)	
Headstone	Maximum	Minimum	Headstone	Maximum
Height	2'9" (840mm)	-	Height	2'0" (610mm)
Width	2'6" (760mm)	-	Width	1'6" (460mm)
Thickness	4" (100mm)	3"	Thickness	3" (75mm)
Base			Base	
Width	3'0" (910mm)	-	Width	2'6" (760mm)
Depth	1'3" (380mm)	-	Depth	10" (250mm)
Thickness	5" (130mm)	3"	Thickness	4" (100mm)
Flat tablet or desk	Maximum	**The overall height (inc. foundation slabs etc.) of any memorial measured from ground level must not exceed 3' 2" for burial plots or 2' 4" for children's plots.		
Length	2' 0"			
Width	2' 0"			
Height (rear)	1' 0"			
Height (front)	3"			

(41) All new memorials must be erected in accordance with the NAMM Recommended Code of Working Practice.



(42) Uprights shall be constructed from a single piece of stone, although they may be inlaid with natural stone, lead or bronze as part of the design or inscription. Such inlay shall not reduce the thickness of the main body of the headstone to less than 2". The inlaid material must not be raised above the surface of the headstone proper by more than ½ " and must be contained within the overall dimensions of the headstone.

(43) The bases of all memorials shall be constructed of a single piece of stone, which may be drilled to accommodate up to 2 flower containers.

(44) Any memorial of artificial / re-constituted (except figures), Bath or soft Caen stone will not be permitted and memorials of pottery, glass, plastic, fibreglass or any other unsuitable material are forbidden and will be removed without notice.

(45) Photographic plaques not exceeding dimensions of 6" may be affixed to memorials only.

(46) Trade names must be incised, or incised and inlaid to match the main inscription, on the left hand side face of the base when viewed from the front. The grave number and section must also be inscribed on the left hand side of the base.

(47) Only the surname of the deceased shall be permitted on the rear face of the memorial in letters 1" high or less. No 'nicknames' or first names will be permitted.

(48) No hewing or dressing of stone other than cutting of an inscription will be permitted in the cemetery.

(49) All materials and equipment shall be conveyed in the cemetery in such a manner as to prevent damage to walks, paths, roads or turfed areas and all soil / waste materials shall be removed from the grave plot in a like manner. Where such a facility exists, soil and turf may be deposited by the topsoil store in the cemetery, otherwise it must be removed from the cemetery. Mats, boards or canvas shall be used, as directed by the Council, to achieve this end.

(50) All workmen employed, on behalf of the owner of the exclusive right of burial, to erect any memorial or to perform work on an existing vault or memorial shall carry out their work strictly under the direction of the Authorised Officer and shall:-

- (i) Annually provide evidence of their public liability insurance.
- (ii) At the cost of the purchaser, fill up and level the ground, remove all waste and unwanted material from the cemetery and make good any damage or injury whatsoever occasioned in the process of the work.
- (iii) Perform the work during the normal opening hours of the cemetery office, i.e. Monday to Friday 8:45 a.m. to 4:00 p.m. At all other times access is forbidden.
- (iv) Provide their own tools and equipment, bring mortar ready made and complete the work with due despatch.

(51) The Authorised Officer must be informed of the removal of any memorial from the cemetery at least two weeks prior to the removal.

(52) The removal and re-erection of a memorial to facilitate the re-opening of a private grave or vault, or to level such grave or vault shall be at the discretion of the Authorised Officer and the expense of the grave owner.

(53) Any person removing a memorial to permit a further interment shall either remove the same from the cemetery, after informing the Authorised Officer, or place it in a position indicated by him. The Council will accept no responsibility for damage caused to the memorial by the removal or whilst the memorial is not fixed on the grave.

(54) Any memorial removed from a grave to facilitate an interment shall not be replaced earlier than six months after the interment. The Council will not be held responsible for any subsidence or instability of any memorial replaced before six months has elapsed from the date of the interment.

(55) Any memorial erected in the cemetery remains there at the sole risk of, and must be kept in a good state of repair by, the owner of the exclusive right of burial. The Council reserves the right to remove any memorial not kept in a safe or satisfactory state of repair. The Council recommends that grave owners, at least every five years, request a professional monumental stonemason to inspect their memorials for structural defects and subsidence, and repair or re-fix where necessary.

(56) The Council reserves the right to exclude or remove from the cemetery any memorial item not executed in a workmanlike manner, or from sound materials, or which would in its opinion disfigure the cemetery, offend public decency or be likely to cause injury for whatever reason, particularly if the memorial item is unauthorised.

MAINTENANCE AND UPKEEP

(57) The surface of every grave or vault shall be lawned and at ground level, except for an approved memorial permitted in accordance with these regulations.

(58) The placing on a grave space or vault space of any glass, ceramic or earthenware items, all kerbs, edgings, fencing, railings, pebbles, slate and gravel, and any shrubs, trees and flowers (other than spring flowering bulbs in a six inch strip at the head of the grave only) is strictly forbidden and any item so placed in contravention of this regulation will be removed by the Council without notice.

(59) The Council reserves the right to remove from any vault or grave flowers and wreaths which in its opinion have become unsightly, and any plants, shrubs or trees which have been planted on graves and to dispose of the same in such a manner as it may deem fit, especially, but not exclusively, when a burial is to take place in the vicinity.

(60) Admission of vehicles is subject to the following conditions:-

- (i) Access is available during the following hours, including Saturdays, Sundays, Good Friday, Christmas Day and Public Holidays:-

1st April to 30th September - 9:00 a.m. to 7:30 p.m.
1st October to 31st March - 9:00 a.m. to 4:00 p.m.
- (ii) Access is subject to absolute right of way being given to any funeral cortège in the cemetery.
- (iii) No vehicle is to be left in a position so as to cause any obstruction to other traffic.
- (iv) A speed of 5 mph is not to be exceeded. Vehicles must not be driven on paths not intended for vehicular use or where signage indicates prohibition.
- (v) No liability is accepted by the Council for loss of or damage to a vehicle or its contents, or injury to its driver or passengers howsoever arising.
- (vi) All reasonable requirements of the Authorised Officer shall be complied with.
- (vii) Permission for admission of vehicles may be withdrawn at any time.

FEES AND CHARGES

(61) The fees and charges prescribed for the use of the cemetery shall be those specified in the scale of fees and charges, as amended from time to time.

(62) All fees and charges are payable in advance to the Council, except in the case of funeral directors and monumental masons dealing continuously with Council who will be invoiced regularly.

GENERAL

(64) All persons (not being employees of the Council) engaged at work in the cemeteries shall comply with all reasonable directions and requirements of High Peak Borough Council and the Authorised Officer.

(65) A register of all burials and graves is kept at the High Peak Borough Council offices where searches can be made and certified extracts obtained, upon payment of the prescribed fee.

(66) The Council is empowered to alter or amend the foregoing regulations at any time and to introduce further regulations as they consider necessary in the case of newly established sections of the cemetery.

(67) Any of the foregoing regulations may be waived by the Council in exceptional circumstances.

Revised April 2011