



# HERNE ROAD CEMETERY & St. THOMAS' CHAPEL



## CEMETERY REGULATIONS

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## **CROWBOROUGH TOWN COUNCIL**

### **HERNE ROAD & ST THOMAS' CHAPEL**

#### **CEMETERY REGULATIONS**

Crowborough Town Council (Council) welcomes all visitors to the cemetery and chapel and you are asked to respect the peace and dignity of the facilities.

The cemetery and chapel are managed and operated by the Council in accordance with the Local Authorities' Cemeteries Order (LACO) 1977, as amended by the Local Authorities' (Amendment) Order 1986 and such other legislation as may be made from time to time.

All persons entering the cemetery do so at their own risk and the Council will not accept any liability for injuries or damage sustained howsoever caused.

The cemetery is open to the public on a daily basis.

The usual hours for interments are 10.00am to 3.00pm Monday to Friday, with the chapel available by arrangement.

The Council reserves the right to close the cemetery and limit entry at any time.

The Council is empowered to alter or amend these regulations at any time; to introduce further regulations at any time, to waive any of the foregoing regulations in exceptional circumstances or to impose temporary restrictions on any matters not specifically covered by these regulations.

#### **MANAGEMENT OF THE CEMETERY**

1. All visitors to the cemetery must keep to the footpaths or roads provided for that purpose, except whilst visiting a grave, and refrain from touching the trees, shrubs, plants or flowers.
2. No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit for orders from the same within the cemetery.
3. Any person using a motor vehicle in the cemetery shall do so only on a carriageway suited to the purpose, except with the consent of the Council and shall not exceed 10mph.
4. Visitors to the cemetery shall not unreasonably interrupt the Council's employees at their duties or employ them to execute private works within the cemetery or extend to them any gratuity.
5. No person shall drop, throw or otherwise deposit and leave in the cemetery any wastepaper or refuse of any kind, except in the litter bins provided. All rubbish and waste material, including wreaths and floral tributes, which have been removed from graves, should be disposed of in the litter bins provided. Household waste or other waste material not generated in the cemetery must not be placed in the litter bins.
6. No person shall operate any sound reproducing equipment or play any musical instrument in the cemetery without the prior consent of the Council.
7. Children (under the age of 12) are not permitted in the cemetery except under the care and supervision of a responsible person.
8. Dogs must be kept on a lead and owners are required to clear up any dog fouling.

## **EXCLUSIVE RIGHT OF BURIAL**

*An Exclusive Right of Burial (EROB) is required before any interment is made or any memorial is placed.*

*No interment shall take place and no memorial shall be placed in the cemetery nor shall any additional inscription be made on memorials without the prior consent of the Council and the signed agreement of all the owners of the EROB.*

9. The EROB entitles the owner to determine who can be interred in the burial space and whether a memorial can be placed (subject to the payment of the relevant fee and permission being granted by the Council).
10. The EROB may be purchased at the time of the interment for the appropriate fee and completion of the relevant application form including the signature/s of the proposed owner/s.
11. An EROB may not be pre-purchased for any burial or cremated remains plots in the cemetery.
12. The EROB is granted for a period of 75 years.
13. The holder of the EROB will have the option of renewal, subject to such restrictions and regulations as may be in force at that time. Application for renewal can be made at the end of the 75-year period or any time during the granted period. If an application for renewal is made during the granted period, the additional period plus the remaining period cannot not exceed 75 years in total.
14. New graves will be allocated in strict rotation within each section of the cemetery. Plans showing the grave spaces are kept at the Council's offices, where they may be seen during normal office hours of the Council.
15. Where no interment has taken place, the owner of the EROB may surrender it to the Council and receive payment as determined by the Council at the time. No refund will be made where the EROB has lapsed or will lapse before the expiration of ten years.
16. Any transfer of ownership of the EROB 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 Council and may be subject to a transfer fee.

## **INTERMENTS**

*Interments may only take place in accordance with these Regulations and at a time arranged with the Council. No interments will be permitted on Saturday, Sunday, Good Friday, Christmas Day or on a public holiday.*

17. All applications for interments must be submitted on the prescribed form to the Council at least 3 working days prior to the interment. Should the current owner of the EROB not be registered with the Council, the time will need to be allowed to effect this transfer and the Deed endorsed, before interment can take place.
18. The application for interment must contain full details of the deceased, the proposed interment, the grave to be used and the signatures of all the owners of the EROB, unless the deceased is the sole owner.
19. The person(s) arranging the interment shall be responsible for the attendance of a Minister of Religion, if appropriate, to officiate at the burial service and for payment of any fee to which the Minister is entitled.
20. Any form of service may be used subject to the approval of the Council. Alternatively, the coffin may be committed without service.
21. A certificate for disposal issued by the Registrar of Births and Deaths or a Coroners Order for Burial or a duplicate copy thereof, must accompany the interment application. In the case of interment of cremated remains a certificate for burial purposes issued by the Cremation Authority will be required.
22. Every body brought into the cemetery for interment shall be contained in a suitable coffin unless an un-coffined burial has been authorised. No coffin shall be accepted unless it bears adequate particulars of the identity of the deceased person therein. A coffin may only contain one body except in the case of a mother and her baby (babies).
23. All graves will be prepared by contractors engaged by the Council and in accordance with Health and Safety guidelines.
24. In the case of the re-opening of a grave the written consent of all the living owners of the EROB will be required. Where a sole owner is already deceased, the Council will require a transfer of EROB to be arranged before interment can take place. No consent is required for the interment of the sole owner of the EROB.
25. The Council may exclude from the Cemetery on the occasion of a funeral any person or persons not being mourners or officially connected with the funeral.

## **MEMORIALS**

*The term "memorial" refers to any memorial, monument, headstone, kerbing, tablet, flat stone, vase, plaque, wall plaque or any inscriptions or additional inscriptions thereon. All installations must be constructed and installed with the current National Association of Memorial Masons (NAMM) or British Register of Accredited Memorial Masons (BRAMM) recommendations.*

*The Council shall not be held responsible for any damage or breakage which may occur to any memorial through any cause whatsoever.*

26. No memorial will be allowed in any part of the cemetery unless an EROB has been purchased.
27. The right to erect a monument rests with the owner of the EROB.
28. Before any memorials may be erected or works undertaken to an existing memorial, an application must be submitted to the Council for approval and any fees paid accordingly. The application must be made on the appropriate form (supplied by the Council) which must be signed by the EROB owner/s. If approved, the Council will issue a written permit which will be valid for a period of thirty years from the date of issue. This right may be extended for a further period determined by the Council after the thirty-year period, subject to the memorial being inspected and found safe. If the Exclusive Right to place a Memorial is not renewed the Council reserves the right to remove the memorial from the grave.
29. No work should be undertaken until a permit has been issued. Any such permit is issued on the understanding that the work undertaken will fully comply with the details specified within the Application Form and the requirement of these Regulations. Monuments can only be fitted by appropriately qualified Memorial Masons. No permit is required for cleaning only; up-righting and re-levelling; repair of existing lettering or painting of existing inscriptions.
30. At least 2 working days notice should be given before any work commences.
31. Anyone who erects a memorial or who undertakes any memorial work within the cemetery, not in compliance with these Regulations, may be compelled to remove it. Otherwise, the Council may remove any unauthorised memorials and may recover the cost of removal of these items from the EROB owner.
32. All memorials should be constructed of granite, marble, slate or other hard stone of monumental quality, which must be durable and sound and to be approved by the Council. No memorial should exceed 90cms in height or cover an area greater than 198cms x 78cms.
33. Any monument erected in the Cemetery shall be inscribed with its grave number which must be a minimum of 30cms (12 ins.) above ground level, in characters of not less than 16mm(5/8ins.) in height, to match the main inscription.
34. Trade names may be inscribed on any monument, in a location approved by the Council in characters of not more than 12mm(1/2ins.) in height, to match the main inscription.
35. No hewing or dressing of stone, other than the cutting of an inscription or cleaning of the stone, will be permitted in the cemetery.

36. 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 or waste material shall be removed in a like manner. Mats, boards or canvas shall be used, as directed by the Council, to achieve this end.
37. All persons employed on behalf of the owner of the EROB to erect any memorial shall carry out their work strictly under the direction of the Council and shall:-
  - i) at the cost of the owner, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of the work.
  - ii) perform the work during the normal opening hours of the Council offices.
  - iii) provide their own tools and equipment and complete the work with due despatch.
38. The Council must be informed of the removal of any memorial from the cemetery.
39. The removal and re-erection of a memorial to facilitate the re-opening of a grave, or to level such grave, shall be at the expense of the EROB owner.
40. Any person removing a memorial to permit a further interment shall either remove the same from the cemetery, after informing the Council, or place it in a position indicated by the Council.
41. Any memorial erected in the cemetery remains the property and responsibility of the EROB owner and therefore, remains in the cemetery at the sole risk of, and must be kept in good state of repair by, the said owner for the duration of their ownership.
42. If a memorial is considered unsafe it may be laid flat to prevent accidents. The Council reserves the right to remove any memorial which has become, or is likely to become, dangerous or is in a derelict or unsightly condition.

#### **MAINTENANCE AND UPKEEP**

43. After an interment has taken place and a reasonable time has elapsed for the natural subsidence of the earth used to fill the grave, the Council may level any surface to that of the adjoining ground.
44. Small plants and flowers may be placed within the grave space ONLY. All tributes must remain within the grave space and not encroach on surrounding ground. It is the responsibility of the EROB owner to keep the grave space free from weeds and in a tidy condition. Dead flowers and wreaths should be removed and if not, may be removed by the Council. In the event of neglect or encroachment the Council reserves the right to level and turf the grave.
45. The placing on graves of glass containers or shades, items of pottery, tins, plastic or wire mesh fences or other items of metal, plastic or other material are forbidden and may be removed by the Council without notice. Temporary wooden crosses or markers, are permitted subject to approval by the Council.
46. The planting of shrubs and trees within the grave space is not permitted and may be removed by the Council.
47. Grass cutting will be carried out by the Council at a frequency determined by them and the weather conditions.

## **GARDEN OF REMEMBRANCE**

48. There are 3 sections to the Garden of Remembrance. The original Garden of Remembrance is a lawned area and cremated remains are unidentifiable. There is a walled area to accommodate single or double wall memorial plaques as approved by the Council. The Flower Bed and The Hedge Row have clearly identifiable burial plots for cremated remains and any accompanying plaques must be approved and be of regulation size and composition.
49. No urns are permitted for interments in the original Garden of Remembrance. All interments must be loose cremated remains.
50. All planting within the Garden of Remembrance is to be carried out by the Council, unless otherwise authorised.

## **CREMATED REMAINS**

51. Cremated remains may be interred in caskets or other approved containers, or may be poured into the requisite opening in the Garden of Remembrance or in a conventional grave in the cemetery. In each case an EROB will be required. There is no facility for "scattering" cremated remains.

## **BURIAL OF ANIMALS**

52. The burial of the remains of animals is not permitted in the Cemetery.

## **FEES**

53. Fees for all cemetery services will be determined by the Council annually to take effect from 1<sup>st</sup> April each year.
54. When setting the fee schedule the Council may choose to charge different rates for parishioners and non-parishioners. In order to determine which fees to charge, the Council will use the last permanent address of the deceased. In the case of a former resident who has lived in the parish of Crowborough for a least five years immediately before moving to a residential, care or nursing home outside Crowborough, the Parishioner rate will apply for their first 5 years in the home; after this period the Non-Parishioner rate will apply.
55. All fees are payable in advance to the Council, except in the case of Funeral Directors dealing continuously with the Council, when payment is rendered monthly.

**These Cemetery Regulations are adopted and reviewed by the Crowborough  
Town Council Allotments and Cemeteries Committee as required.**

<b>DATE</b>	<b>RESOLUTION NUMBER</b>
27 <sup>th</sup> September 2022	9885
8 <sup>th</sup> April 2025	10838