

# CEMETERY RULES AND REGULATIONS

**CLEOBURY MORTIMER TOWN COUNCIL ACTING AS THE  
BURIAL AUTHORITY FOR THE PARISH OF CLEOBURY MORTIMER**

**RULES AND REGULATIONS**

**1. BURIAL GROUND**

- 1.1 The Burial ground will be open to the public from 8 am each day (excepting Sundays, Good Friday and Christmas Day) and will close at sunset.
- 1.2 Children under 12 years of age must be accompanied by a responsible adult.
- 1.3 No bicycles, dogs or other animals (except on a leash) will be allowed in the Burial Ground and no disorderly person shall be permitted to enter the ground. Visitors are expected to observe a reverent manner and behaviour and to keep to the paths.
- 1.4 No person shall willfully destroy or injure any wall, fence or building erected in the burial ground, or destroy or injure any tree, plant, and shrub or flower therein.
- 1.5 No person shall mark or disfigure any wall therein or put up any printed or other paper, handbill or placard therein, or on any wall thereof.
- 1.6 No person shall willfully destroy, injure or deface any gravestones, monument, tomb, palisades, kerb, tablet, memorial or inscription within the burial ground, or do any other willful damage therein.
- 1.7 No person shall play at any game or sport or discharge firearms in the burial ground (save at a military funeral by permission of the Council), or commit any nuisance within the burial ground.
- 1.8 No person shall willfully and unlawfully disturb any persons assembled in the burial ground for the purpose of burying a body therein.
- 1.9 No person shall sit, stand or climb upon or over any gravestone, headstone, tombstone, monument, kerb, gate, wall, fence or building belonging to the burial ground.
- 1.10. The penalties prescribed in the Burial Acts for damaging the burial ground or committing any nuisance therein, will be strictly enforced by the Council.

**2. INTERMENTS**

**2.1 Notices**

- 2.1.i Notice of every intended interment in an earthen grave shall be given at least 48 hours previous to such interment to the Cemetery Administrator.
- 2.1.ii Except under special circumstances no notices can be received on Saturdays, Sundays or public holidays, which must be excluded from the period of notice. An exception will be made on the production of a medical certificate stating that early interment is advisable.
- 2.1.iii In all cases of burials in purchased graves, the notice of interment must be signed by the person for the time being entitled to the exclusive right of burial in such graves, signifying his or her consent to such burial. When you purchase the Exclusive Right to a single or joint cemetery plot, the information you provide (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible to contact you and to respond to your correspondence, provide information, send invoices and receipts relating to your burial plot/s. Please see our Privacy Policy and Privacy Notice for full information. Where the owner of a purchased grave is the person to be buried, the consent in writing must be given by his or her legal successor and the Deeds shown to the Cemetery Administrator.
- 2.1.iv Fees and charges of every description in connection with an interment must be paid to the Cemetery Administrator on giving the notice of interment.



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## 2.2 Certificates

- 2.2.i The certificate of the Registrar of Deaths or in cases where an inquest has been held, the certificate of the Coroner must be handed to the Cemetery Administrator or, in exceptional circumstances, to the Town Clerk and passed to the Cemetery Administrator as soon as reasonably possible.
- 2.2.ii For the burial of a stillborn child the certificate of the Registrar of Deaths, or of a medical practitioner who was present at the birth or who saw the body after birth, must be delivered to the Cemetery Administrator. If no medical practitioner was present or saw the body, then a declaration in the prescribed form must be completed and signed by the father or mother of the child, or the occupier of the house where the birth took place or failing those, by the midwife or other person who was present at the birth.

## 2.3 Place for Interments

- 2.3.i The selection of the grave space is in every case subject to the approval of the Council acting through the Cemetery Administrator, but the wishes of the parties interested will be met as far as possible.
- 2.3.ii All graves will be excavated and dug by a person or persons approved by the Council.
- 2.3.iii The Council reserve the right to determine the position of any unpurchased or unreserved grave in the burial ground.

## 2.4 Hours for Interments

- 2.4.i The hours for interments in the burial ground will be between 10 a.m. and 4 p.m. Monday to Saturday. **Interments may not take place on Sundays or on public holidays, except for special reasons.**
- 2.4.ii Only one funeral shall be permitted to take place at any one time.
- 2.4.iii The Undertaker or person in charge of a funeral arriving at the burial ground must act under the directions of the Cemetery Administrator, as to when the funeral service may proceed, and generally in connection with the interment.

## 2.5 Cremations

- 2.5.i Cremated remains may be interred in the cemetery either in a standard grave or in a cremated remains plot.

## **3. GRAVES**

### 3.1 General

- 3.1.i The grave space set aside for each person shall not exceed 9 feet long by 4 feet 6 inches wide [2740mm x 1370mm].
- 3.1.ii All graves must be constructed under the direction of the Council acting through the Cemetery Administrator.
- 3.1.iii Apart from Headstones and Memorials the ground must be kept in its natural state ie grassed in all areas. (Please see 'Cemetery information regarding memorials' – Appendix 1.) No artificial grass or covering of the ground is acceptable in any form. Any such ground covering will be removed by the Council without further reference to the owner. This is considered a Health and Safety concern. Health and Safety legislation is in force at all times.

### 3.2 Depths of Graves

- 3.2.i No interment will be allowed at less depth than 6'6" [1980mm] for a grave intended for the burial of two bodies and 4'6" [1370mm] for a single burial.
- 3.2.ii A person shall not in the burial ground cause a body to be buried in a grave in such a manner that any part of the coffin is at a depth less than 3 feet [915mm] below the level of the surface of the ground adjoining the grave.
- 3.2.iii Undertakers are responsible for engaging grave diggers and for ensuring that such agents work in a responsible and safe manner and observe all Health and Safety legislation in force at the time of the excavation. **All excess soil and stone must be removed from the cemetery by the grave digger.**

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### 3.3 Coffins

- 3.3.i Only coffins made of biodegradable materials will be allowed.

### 3.4 Reopening of Graves

- 3.4.i A person shall not in the burial ground cause a body to be buried in a grave in which an interment has already taken place, unless the coffin containing the body is effectively separated from any other coffin previously placed and remaining in the ground by means of a layer of earth not less than 6 inches [150mm] in depth.
- 3.4.ii Wherein the burial ground any grave in which an interment has previously taken place is reopened for the purpose of making a second interment therein, no person shall disturb any human remains interred or remove any soil which is offensive.

### 3.5 Planting of Flowers

- 3.5.i The person in charge of any grave space shall **not** be allowed to plant such grave with flowers, shrubs or trees, or to place thereon any ornament or fencing save those which have received the prior approval of the Cemetery Administrator.
- 3.5.ii The Council reserves the right to remove any flowers at any time if they become unsightly or interfere with any other grave space.
- 3.5.iii Domestic bottles, vases, jars, tins or other unsuitable receptacles as defined by the Town Council for flowers will not be allowed on graves in the cemetery. Any such receptacles will be removed by the Council without further reference to the owner.

### 3.6 Exclusive Rights

- 3.6.i No grave in which the exclusive right of burial has been purchased can be opened or reopened without the production of the written consent of the owner or owners, together with such evidence of the person or persons giving such consents as the Cemetery Administrator may require.
- 3.6.ii After the interment of the owner of a grave, the personal representatives should produce to the Cemetery Administrator the probate of the will, letters of administration, or other evidence, in order that the change of ownership may be registered.
- 3.6.iii The transfer of the exclusive right of burial in any grave must be entered in the Register kept by the Cemetery Administrator. The owner of a purchased grave cannot transfer his or her rights to the grave space without the consent in writing of the Town Council.

## **4. MEMORIALS**

### 4.1 Memorials - General

- 4.1.i All memorials of any descriptions are subject to the approval of the Cemetery Administrator.
- 4.1.ii A drawing showing the description, form and size of every memorial proposed to be erected or constructed over or at any grave, vault or tomb, and a copy of the proposed inscription and its position on the memorial must be submitted to the Cemetery Administrator for approval prior to construction / installation.
- 4.1.iii All memorials will bear the plot number of the grave.
- 4.1.iv All memorials admitted into the burial ground or permitted to be erected over or at any grave shall be erected and remain at the sole risk of the owner of such memorial, and the Council shall not be responsible for any damage which may occur to the same.
- 4.1.v The Council reserve the right to make safe any memorial which, in the opinion of the proper officers of the Council, is unsafe or unfit without further reference to the owner of the Memorial in order to protect the safety of visitors to the burial ground. Inspections into the safety of all memorials shall be made by the Council at least once within each twelve-month period.
- 4.1.vi The position for memorials shall be subject to the approval of the Cemetery Administrator and the foundations of such works shall be executed to the satisfaction of the Cemetery Administrator.
- 4.1.vii Kerb Stones will only be permitted in the burial ground at the Council's discretion.



- 4.1.viii All memorials shall be completed before they are admitted into the burial ground, and no work of any kind thereon, apart from that of fixing and cleaning, will be allowed in the burial ground, except any inscription which cannot be made prior to the erection of the memorial within the burial ground.
- 4.1.ix Masons or other persons employed in fixing memorials in the burial ground will be required to remove all spare soil and to clean up the ground carefully after completing their work. They will be held responsible for any damage caused by them either to the ground or memorials erected within the burial ground, and charged accordingly with the cost of such damage.
- 4.1.x The Council reserve the right to remove any memorial not executed in a workmanlike manner, or one which disfigures the ground in any way.
- 4.1.xi No mason shall display any advertisement within the burial ground. This includes, but is not limited to, marking memorials with the name address or other contact details of the supplier.
- 4.1.xii No mason shall solicit orders, exhibit designs or distribute business cards in the burial ground.
- 4.1.xiii No mason shall obtain from any employee of the Council information as to grave owners.
- 4.1.xiv No mason shall take measurements of, photograph or copy any memorial, unless the written permission of the owner is first produced to the Cemetery Administrator.
- 4.1.xv In case any dispute shall arise on the fitness or suitability of any inscription proposed on a grave or vault within the consecrated portion of the burial ground, it will be referred by the Council to, and determined by, the Lord Bishop of the Diocese. In all cases, expressions fairly recording the faith of the deceased, without offence to the feelings of other persons will be admitted.
- 4.1.xvi All materials of every description and all private graves must be kept in reasonable repair at the expense of the owners. Reasonable efforts will be made by the Council to communicate with the owners when repairs are needed, but if such repairs are not carried out within six months (from the date of such notification or efforts to trace) the memorial or grave may be dealt with by Council as they may think fit.
- 4.1.xvii It shall not be lawful for any person, without the consent of the Cemetery Administrator, to remove, alter or disturb any memorial which has been erected within the burial ground.
- 4.1.xviii The erection of any memorial constructed of any material other than stone, marble or wood will not be allowed without the special permission of the Council.
- 4.1.xix Memorial Plaques - these shall measure 350 mm (14") by 230 mm (9") by 52 mm (2") and be of high durability materials
- 4.1.xx Flower Containers - *where there is an existing plaque* - a flower container, if required, shall be a flush to the ground receptacle or one incorporated with the plaque as have at present been used in the burial ground.
- 4.1.xxi Flower Containers on new plots - the memorial tablet, if required, shall provide for a flush to the ground receptacle of suitable material and shall not exceed 380 mm (15") by 350 mm (14") overall.
- 4.1.xxii Any unauthorized ornaments shall be removed by the Council without further reference to the owner.

## 5. GENERAL

- 5.1. The top gates to the Cemetery will be locked to prevent unauthorized access. Contractors need prior approval from the Cemetery Administrator to engage in any works in the cemetery. Visitors with reduced mobility or contractors who wish to take vehicles into the Cemetery should first seek the permission of the Cemetery Administrator or Town Clerk.
- 5.2. The fees and charges payable to the Council in respect of interments in the burial ground, and in respect of grave spaces, headstones, inscriptions and memorials, or in connection with the burial ground in any way, shall be those set out in the Cemetery Fees and Charges approved by the Council.
- 5.3. A register of all burials will be kept by the Cemetery Administrator. Searches may be made and verified extracts obtained at reasonable hours, upon application to the Cemetery Administrator.
- 5.4. Copies of the foregoing Rules and Regulations, together with copies of the Cemetery Fees and Charges may be obtained from the Cemetery Administrator or Town Clerk.
- 5.5. The Council may from time to time make any alterations, additions or amendments in or to the foregoing Rules and Regulations. These Rules and Regulations will come into operation on and as from 7<sup>th</sup> September 2020. All previous Rules and Regulations are hereby superseded.

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## Appendix 1 - CEMETERY INFORMATION REGARDING MEMORIALS

Cleobury Mortimer Town Council acting as the burial authority for the parish of Cleobury Mortimer has regulations regarding the cemetery to ensure we comply with statutory legislation and also that it remains tidy, safe and properly managed for the rightful respect of everyone.

The full Rules and Regulations are available from the Cemetery Administrator, Council office, Council website and displayed on the notice board at the Cemetery. This information has been extracted from the Cemetery Rules and Regulations as a guide regarding memorials.

### 1. Flowers

- 1.1 The person in charge of any grave space shall not be allowed to plant such grave with flowers, shrubs or trees, or to place thereon any ornament or fencing save those which have received the prior approval of the Cemetery Administrator.
- 1.2 The Council reserves the right to remove any flowers at any time if they become unsightly or interfere with any other grave space.
- 1.3 Domestic bottles, vases, jars, tins or other unsuitable receptacles as defined by the Town Council for flowers will not be allowed on graves in the cemetery. Any such receptacles will be removed by the Council without further reference to the owner.

### 2. Memorials

- 2.1 All memorials of any description are subject to the approval of the Cemetery Administrator. A drawing showing the description, form and size of every memorial proposed to be erected or constructed over or at any grave, and a copy of the proposed inscription and its position on the memorial must be submitted to the Cemetery Administrator for approval prior to construction / installation.
- 2.2 All memorials will bear the plot number of the grave.
- 2.3 All memorials admitted into the burial ground or permitted to be erected over or at any grave shall be erected and remain at the sole risk of the owner of such memorial, and the Council shall not be responsible for any damage which may occur to the same.
- 2.4 The Council reserve the right to make safe any memorial which, in the opinion of the proper officers of the Council, is unsafe or unfit without further reference to the owner of the Memorial in order to protect the safety of visitors to the burial ground. Inspections into the safety of all memorials shall be made by the Council at least once within each twelve-month period.
- 2.5 The position for memorials shall be subject to the approval of the Cemetery Administrator and the foundations of such works shall be executed to the satisfaction of the Cemetery Administrator.
- 2.6 Kerb Stones will only be permitted in the burial ground at the Council's discretion.
- 2.7 All memorials shall be completed before they are admitted into the burial ground, and no work of any kind thereon, apart from that of fixing and cleaning, will be allowed in the burial ground, except any inscription which cannot be made prior to the erection of the memorial within the burial ground.
- 2.8 Masons or other persons employed in fixing memorials in the burial ground will be required to remove all spare soil and to clean up the ground carefully after completing their work. They will be held responsible for any damage caused by them either to the ground or memorials erected within the burial ground, and charged accordingly with the cost of such damage. The Council reserve the right to remove any memorial not executed in a workmanlike manner, or one which disfigures the ground in any way.
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- 2.10 It shall not be lawful for any person, without the consent of the Cemetery Administrator, to remove, alter or disturb any memorial which has been erected within the burial ground.
  - 2.11 The erection of any memorial constructed of any material other than stone, marble or wood will not be allowed without the special permission of the Council.
  - 2.12 Apart from Headstones and Memorials the ground must be kept in its natural state ie grassed in all areas. No artificial grass or covering of the ground is acceptable in any form. Any such ground covering will be removed by the Council without further reference to the owner.
  - 2.13 Memorial Plaques - these shall measure 350 mm (14") by 230 mm (9") by 52 mm (2") and be of high durability materials
  - 2.14 Flower Containers - where there is an existing plaque - a flower container, if required, shall be a flush to the ground receptacle or one incorporated with the plaque as have at present been used in the burial ground.
  - 2.15 Flower Containers on new plots - the memorial tablet, if required, shall provide for a flush to the ground receptacle of suitable material and shall not exceed 380 mm (15") by 350 mm (14") overall.
  - 2.16 Any unauthorised ornaments shall be removed by the Council without further reference to the owner.

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- 3.2 After the interment of the owner of a grave, the personal representatives should produce to the Cemetery Administrator evidence, in order that the change of ownership may be registered. The owner of a purchased grave cannot transfer his or her rights to the grave space without the consent in writing of the Town Council's Cemetery Administrator.

### 4. General

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- 4.2 The fees and charges payable to the Town Council in connection with the burial ground in any way, shall be those set out in the Cemetery Fees and Charges approved by the Town Council.