



Frodsham Town Council Cemetery Regulations

[Burial Authority referred to in these Regulations is Frodsham Town Council]

1 Opening Times: Town Council Office & Cemetery

- 1.1. **The Council Office** is open Monday – Friday from 9 am to 1 pm. The Office will be closed on Saturdays, Sundays & public holidays.
- 1.2. **The Cemetery** is open to the public from 9 am to 8 pm during April – September (inclusive) and from 9 am to 4.30 pm during October – March (inclusive).
- 1.3. The Council reserves the right to close the Cemetery or to limit the entry of persons thereto at any time without notice.

2 Authority for Activity in the Cemetery

- 2.1. No burial will take place, no cremated human remains will be scattered, no tombstone or other memorial will be placed in the Cemetery and no additional inscription will be made on a tombstone or other memorial without the permission of the Officer appointed for that purpose by the burial authority.

3 Notices

- 3.1. All notices must be given at the Council Office on forms provided by the Council stating:
 - a The age of the deceased,
 - b Normal residence of the deceased during the three months prior to death,
 - c The date, cause & place of death,
 - d The length, width & depth of the coffin*,
 - e Whether private or public funeral,
 - f The day & hour of the funeral,
 - g Particulars of the minister who is to officiate, and
 - h The name & address of the funeral director

** Accurate information about the length, width & depth of the coffin is of the utmost importance for the efficient working of the Cemetery. An additional charge will be made for any work that may be involved by reason of such information being incorrect.*

- 3.2. Any order or instruction given by telephone will be received at the sole risk of the person giving such orders or instructions. The Council will not be responsible for any delays which may occur, or misunderstandings which may arise with regard to orders or instructions given by telephone - unless immediately confirmed in writing in the manner provided by these Regulations.
- 3.3. At least three clear days notice (exclusive of Saturdays, Sundays & public holidays) must be given in respect of any interment. This rule may be relaxed in the case of death certified to be due to an epidemic disease.
- 3.4. A Certificate of Registration of Death or a Coroner's Order must be produced before burial takes place.

4 Fees

- 4.1. All fees & charges relating to interments & payable to the Council will be paid at the time when notices are submitted; and the Council will issue a receipt to the payee.
- 4.2. A table of fees will be kept and exhibited at the Cemetery Office.
- 4.3. The fees charged by the Council include everything connected with the specified items and no employee or member of the Council is allowed to receive any gratuity.

5 Title & Rights

- 5.1. The lessee of the exclusive right of burial will be furnished with a Certificate of the same.
- 5.2. The lessee will not have the power of transferring the right of burial in any grave without the consent of the Council except by will. Any person succeeding to a lease under a will or intestacy must notify the Council in writing of the change of lessee
- 5.3. No grave or plot in which the right of burial has been leased will be opened unless the Certificate of Grant is produced together with the consent in writing of the lessee or his/her

representative. If the Certificate of Grant is not available, the lessee or executor must complete a **Form of Indemnity statutory declaration.**

- 5.4. Subject to compliance with the other requirements of these Regulations, no authority is required for the burial in any grave or plot of the registered lessee.
- 5.5. Upon the death of the registered lessee of the grave or plot, the person claiming the title to the right of burial must produce satisfactory evidence of title before any grave or plot is opened otherwise than in accordance with Regulation 5.2.
- 5.6. A lessee of a 'right of burial' who wished to assign his/her right may do so by means of a written assignment in a form to be approved by the Council. Until such assignment has been produced, and registered by the Council, the assignee will not be entitled to exercise any rights under the Grant.
- 5.7. The charge for interments in a public grave does not include the right or privilege other than a right of burial in a grave to be selected by the Council.

6 Funeral Arrangements

- 6.1. The funerals must take place between the hours of 9 am and 4 pm, Monday to Friday. No burials will be allowed on a Saturday, a Sunday or a public holiday.
- 6.2. Only one funeral will be allowed in the Cemetery at any one time except with the consent of the parties concerned.
- 6.3. The time fixed for a funeral is that at which the process is due at the Cemetery and such times must be strictly observed. In the event of a funeral arriving late, it must wait until it is convenient for it to proceed.
- 6.4. When a Notice of Interment has been given, any alteration of arrangements will only be permitted at the discretion of the Council in respect of any work that may have already been executed and any expenses that may have been incurred.
- 6.5. Persons in-charge of a military or other large funeral must make prior arrangements with the Council.

7 Plots & Graves

- 7.1. The selection of any plot or grave space will be subject to the approval of the Council and consistent with its general plan.
- 7.2. The Council will determine the position of public graves.
- 7.3. Nobody will be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave. Provided that the burial authority may, where it considers the soil to be of suitable character, permit a coffin made of perishable materials to be placed not less than two feet below the level of any ground adjoining the grave and the Council reserves the right to make such investigations as it thinks fit.
- 7.4. Nobody will be buried in a grave unless the coffin is effectively separate from any coffin interred in the grave on a previous occasion by means of a layer of earth not less than six inches thick.
- 7.5. When any grave is re-opened for the purpose of making another burial therein, no person will disturb any human remains interred therein or remove therefrom any soil, which is offensive.
- 7.6. The Council reserves the right to prune, cut down or remove any shrubs, plants or flowers whenever, in his/her opinion, they have become unsightly, overgrown or dangerous. Mounding up of graves or removal of turf will not be allowed in any part of the Cemetery.
- 7.7. For a new grave, in respect of which an exclusive right of burial is to be granted, care must be taken to see that the name of the proposed registered lessee is correct.
- 7.8. No underground or stonework will be allowed in any grave space the exclusive right of burial in which has not been leased and any memorial erected over such grave space may be removed by direction of the Council.

8 Memorials

- 8.1. All memorials must conform to the general designs approved by the Council and must not cover an area at the head of the grave more than three feet long x fourteen inches wide.

- 8.2. Headstones must be fixed securely to the plinth provided by the Council and erected in line with adjacent headstone memorials or in accordance with the directions of the Council.
- 8.3. Memorials will be placed back-to-back in line with adjacent memorials or in accordance with the directions of the Council.
- 8.4. Grave Memorials must be:
 - a. Not more than three feet six inches in height above ground level,
 - b. Not more than three feet in width, and
 - c. Not more than one foot three inches in depth
- 8.5. Family Plots Cremated Remains Memorials must be:
 - a. Not more than three feet six inches in height above ground level
 - b. Not more than two feet eight inches in width,
 - c. Not more than one foot three inches in depth
- 8.6. Cremated Remains Memorials must be:
 - a. Not more than three inches in height above ground level
 - b. A flat square of twelve by twelve inches
- 8.7. The person erecting a memorial will arrange for the relevant section & grave number to be engraved in no less than three-quarter inch lettering on the right hand side face of such memorial, and two inches above ground level
- 8.8. Border stones, chippings or plastic railings are not permitted.
- 8.9. Bell-glasses, shells, chippings or other moveable or fragile embellishments will not be allowed in the Cemetery.
- 8.10. The materials used in the construction of memorials must be of durable natural stone, marble, granite or other similar materials.
- 8.11. Wooden memorials will only be permitted in special circumstances on written application to the Council.
- 8.12. Details & drawings of any proposed memorial & inscription thereon must be submitted to the Council for prior approval. This information must be given on the prescribed form (available from the Council Office) and must be signed by the registered lessee of the right of burial in a grave. No memorial will be permitted without the consent of such lessee.
- 8.13. When, in the opinion of the Council, memorials are no longer maintained in good repair and proper condition, they may be removed by order of the Council.
- 8.14. If any monument or other work be erected or made in violation of these Regulations, the Council may remove the monument or work at any time, without notice, at the expense of the person responsible therefor.
- 8.15. All memorials must be conveyed into the Cemetery, erected and removed at the expense of the lessee of the right of burial.

~~8.16. Every memorial must have inscribed upon it the number of the grave or plot on which it is to be erected.~~

~~8.17-8.16.~~ No hewing of stones will be permitted within the Cemetery or approaches thereto, and all materials for monuments & memorials will be conveyed on to the Cemetery in such a manner under the direction of the Council as will avoid the cutting up of the road, walks or verges.

~~8.18-8.17.~~ The fixing of memorials is not allowed on Saturdays or Sundays. Erectors or masons are requested to note that work incidental thereto will be permitted after normal working in the Cemetery. Work of every description must proceed continuously and be completed without unnecessary delay. This applies, in particular, to memorials awaiting re-erection. The reinstatement of a grave after such work is the responsibility of the monumental mason concerned.

~~8.19-8.18.~~ No memorial, of whatever description, will be admitted into the Cemetery or permitted to be erected except on condition that such memorials be so erected, and remain, at the lessees' sole risk, and that the Council will not be held responsible for any damage or breakage, which may occur thereto.

8-20-8.19. The Council reserves the right to remove any memorial or any part thereof from an adjoining grave or graves when such removal is deemed necessary for carrying out the work of interment in any grave. The Council will replace any such memorial or part thereof so removed, and make good any damage, which may be done in such removal.

8-21-8.20. The lessees must keep all plots & memorials in good repair. Notice will be sent to the registered lessee in case of any repair being required and after one month in default, the Council will proceed to repair at the expense of the lessee.

9 Lawn Section

- 9.1. As soon as convenient after an interment, turf will be laid over the whole grave
- 9.2. Nothing whatsoever will be placed or erected upon or about the grassed area, such area being maintained by the Council in perpetuity. Planting of the nine-inch soil border will be in accordance with Regulation 7.6. If, after a period of two years, it is found that the soil border is uncared for and neglected, the Council will cause the area to be grassed.
- 9.3. One vase only will be permitted on each grave and it must not exceed eight inches x eight inches x eight inches and be placed immediately in front of the memorials in the soil border. Approved vases, however, may be incorporated in the stonework of memorials. If no memorial has been erected, vases must be properly marked with section & grave numbers.
- 9.4. For cremated remains, one vase only, ~~supplied by the Council,~~ will be permitted alongside each tablet.
- 9.5. In all respects, the Regulations relating to other sections of the Cemetery will be applicable to the Cemetery Lawn Section.

10 Memorial Garden

- 10.1. No scattering of ashes to be carried out in the Memorial Garden without the permission of the Proper Officer of the Town Council.
- 10.2. The Council will fit the plaques purchased to the Memorial Wall.
- 10.3. No plaque to be removed without the mutual agreement of the Proper Officer of the Town Council and the purchaser, which will not be unnecessarily withheld.
- 10.4. The Council will supply the facilities for flowers at the base of the wall.

11 General

- 11.1. No person will canvas or solicit orders within the Cemetery.
- 11.2. Visitors to the Cemetery are requested to keep on the roads & walks, and not to walk across the graves or to damage the shrubs or flowers. Dogs will not be allowed within the Cemetery, other than guide dogs. Children must be in the care of a responsible adult.
- 11.3. No person will:
 - 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, walled grave or plot, tombstone or other memorial or any flowers, plants or any such matter, or
 - e Play at any game or sport in a Cemetery.
- 11.4. The Council reserves the right to make, from time-to-time, alterations, additions or amendments to the foregoing Regulations consistent with the Burial Acts.

Disclaimer

- i. *Frodsham Town Council accept no responsibility for any loss or damage incurred to any vehicle parked in the Cemetery*
- ii. *Persons entering the Cemetery outside normal opening hours (Regulation 1.2) do so at their own risk.*