

Bromyard Cemetery

Station Road
Bromyard
HR7 4NT



Rules and Regulations October 2022

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CEMETERY RULES AND REGULATIONS

INTERPRETATION

1. The following Rules and Regulations shall apply to Bromyard Cemetery.
2. In these Rules and Regulations, unless the context otherwise requires, the following words and expressions shall have these meanings assigned to them:

“The Committee” means the Bromyard & Winslow Burial Committee appointed by Bromyard & Winslow Town Council under Section 102 of the Local Government Act 1972.

“The Cemetery” means the Cemetery owned by Bromyard & Winslow Town Council and provided for the use of the Parish of Bromyard and Winslow

“Grave” means a burial place formed in the ground for the purpose of interring a body or a casket of cremated remains or on the ground for the purpose of scattering ashes or cremated remains.

‘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 period of 75 years. The purchase of a grave space is for the Exclusive Right of Burial and not for the purchase of land. The land remains the property of the Council at all times.

“Memorial” means any monument or headstone erected on a grave; kerbing placed around a grave or a plaque placed on a grave.

‘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.

MANAGEMENT OF THE CEMETERY

3. All visitors to the cemetery 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) 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; or
 - e) play at any game or sport in a cemetery.
4. Visitors shall not unreasonably interrupt the Council's employees 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 the Burials Officer at Bromyard and Winslow Town Council.
 5. No animals shall be permitted to enter the Cemetery other than dogs on a short lead.
 6. Any person using a motor vehicle in the Cemetery shall only do so on the main pathways. a carriageway suited to the purpose, except with the consent of the Council.
 7. Visitors must keep to the footpaths or roads provided for that purpose, except whilst visiting a grave or vault, and should refrain from touching trees, shrubs, plants, or flowers.
 8. No person shall deposit or leave in the Cemetery any wastepaper or refuse of any kind, except in the litter bins provided for the purpose. Fly-tipping will not be tolerated.
 9. No burial shall take place, and no monument or memorial shall be placed in the Cemetery, nor shall any additional inscription be made on a monument or memorial, without the prior consent of the Council.
 10. Cremated remains shall not be scattered in the Cemetery.

INTERMENTS

11. No grave may be opened for a first interment unless an application to purchase the Exclusive Rights of Burial in that grave has been received by the Burials Officer, along with the appropriate fee.
12. All notices are to be given in the Forms approved by the Committee and kept by the Burials Officer at least 3 days prior to the interment (except in cases of death from epidemic or endemic disease upon medical certificate).
13. All fees and charges are to be paid to the Council before the ground is opened or any memorial is placed or erected.
14. All information as to procedure can be obtained from the Burials Officer where applications for grave spaces must be made and Notices of Interment given.
15. A plan showing the whole of the graves is kept by the Burials Officer and may be inspected free of charge by all persons making application for grave spaces by appointment only.
16. The time fixed for a funeral must be that at which the funeral cortège is due at the Cemetery and the time fixed must be punctually observed to prevent inconvenience or one funeral interfering with another.
17. Prior telephone booking is required for every interment, which must be confirmed in writing, using the prescribed form - Notice of Interment. The form must be received by the Burials Officer at least three clear days prior to the interment taking place. All such periods of notice do exclude Saturday, Sunday, Good Friday, Christmas Day, and Public Holidays.
18. The Council accepts no responsibility for verbal arrangements, where such arrangements have not been so confirmed.
19. The Notice of Interment must contain full details of the deceased; the proposed interment; the grave to be used.
20. Any form of religious service may be used, but any other ceremony is subject to the approval of the Council.
21. A certificate for disposal issued by the Registrar of Births and Deaths or a Coroner's Order for burial or a duplicate copy thereof must be delivered to the Burials Officer.
22. Each body brought into the Cemetery for interment must be contained in a suitable coffin, of perishable material, and shall be interred in that coffin. No coffin shall be accepted unless it bears adequate particulars of the identity of the deceased person or persons therein.
23. The responsibility for providing sufficient bearers to carry the coffin reverently from the hearse into the Chapel, or to the grave, or vault,

whether mourners are present or not, rests with the Funeral Director or person arranging the interment.

24. All graves are to be excavated by competent persons appointed by the Committee or Funeral Director. All graves shall be formed and made level with the surrounding ground.
 - a. The Committee requires, annually (or when a new grave digger is employed) written assurance from undertakers that all graves are shored to an adequate standard when dug to prevent the grave collapsing on the digger and to prevent the sides collapsing when the mourners are gathered at the graveside. It is the responsibility of the Undertaker to ensure that their grave digger is adhering to the required health and safety standards.
 - b. Any person excavating a grave or erecting or placing a memorial or carrying out any other work must use such means as are directed by the Committee for protecting the grass and paths during the progress of the work. As soon as such work is completed, or previously if so directed, the whole space whereon any materials used in the erection or making of these works, or remaining afterwards, must be cleared and the area left clean. Any person carrying out such work shall be held responsible for any damage done in carrying out and completing it.
 - c. Parties having charge of a military funeral or funeral procession connected with Societies or other Public Bodies are required to make such arrangements with the person appointed by the Committee at the Cemetery as will protect the Cemetery from damage.
25. 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 any ground adjoining the grave.
26. 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.
27. The Depth of Burial Standards of Herefordshire Council have been adopted and are as follows
 - Single = 4' 6" minimum
 - Double = 6'6" minimum
 - Cremation Caskets = 3' minimum this allows for two in each plot, one on top of the other
28. 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.

29. After interment, no body or cremated remains may be removed from a grave without the production of the Ecclesiastical Faculty and/or Licence for Exhumation required by law. The original documents will be required for this purpose.
30. In the case of the re-opening of a private grave 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 because of permitting the interment.

EXCLUSIVE RIGHTS OF BURIAL

31. The right to be buried in the Cemetery requires that the Exclusive Rights to the Grave be purchased. Following receipt of the appropriate fee, all applicants will be issued with a copy of the Bromyard Cemetery Rules and Regulations booklet, which will be sent out with the Deed of Exclusive Right of Burial.
32. A grant of Exclusive Right of Burial is for a period of 75 years and confers no other right than that of burial, and each applicant for Exclusive Right of Burial must confirm receipt, in writing, of the Deed of Grant.
33. No grave, in which the Exclusive Right of Burial has been purchased, shall be opened without the production of the grant of such right or the grantee's consent in writing.
34. Purchase of the Exclusive Right of Burial in a grave may not, except by will, dispose of such right without the consent of the Committee. The right of a purchaser dying intestate lapses at the burial of such purchaser.
35. A double grave can have up to two burials and several cremation interments as the committee decides and the owner permits.
36. A single grave can have one burial and, if the owner is not the interred, several cremation interments as the committee decides and the owner permits.
37. A cremation plot can have up to four interments with the permission of the owner.
38. The Council cannot be held responsible if, due to factors outside their control, the full number of interments in a grave cannot be achieved.
39. No pre-purchasing of graves is allowed at the Cemetery.
40. 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 Deed of Grant of Exclusive Right of Burial must be produced for endorsement at the Cemetery office and the appropriate transfer fee paid.

MEMORIALS

41. A monument or 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 monument or memorial will be for the un-expired portion of the Grant of Exclusive Right of Burial.
42. Permission to erect, reinstate and add further inscriptions to a memorial can only take place with the grave owner's permission or with the agreement of proven representatives.
43. Permanent memorials may only be erected or placed in the Cemetery following approval by the Committee. Application forms are available from the Burials Officer and the Council's website.
44. Applications must be submitted at least two weeks in advance of the proposed date of erection and must include:
 - a. The grave number and name of the deceased.
 - b. In the case of a new monument or memorial a drawing of the monument/memorial and its specification including the type, colour, and finish (i.e., polished, honed etc) of the material to be used and showing all dimensions including those of the foundation slab.
 - c. Any text to be cut upon the monument/memorial or any text to be altered or added to any existing monument/memorial and the method of lettering.
 - d. The name, address and signature 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 but is not making the application, the applicant must provide a letter signed by the owner confirming and authorising such an application.
 - e. The name, address, and telephone number of the monumental mason.
45. The erection, removal, repair, re-fixing, or alteration of any memorial shall be done by a competent person appointed by a stonemason or monumental sculptor.
46. The memorial remains the property of the owner of the grave and must be kept in proper repair by the owner. Memorials will be checked regularly by the Committee and if any is found to be in an unsafe condition or position, it will be removed or laid flat on the grave. The cost of this will be borne by the owner.

47. Every memorial in the Cemetery must have the plot number of the grave over which it is placed, inscribed on it.
48. No palisading or railing of any kind may be erected around graves and no wooden memorial or woodwork of any kind will be allowed. ***No grave surrounds are permitted in the new sections of the Cemetery.***
49. Memorials erected in violation of these regulations may be removed by the Committee without notice.
50. Plants or flowers (not shrubs or trees) may, with approval of the Committee, be planted on graves within the Cemetery. The Committee reserves the right to prune, cut down or dig up and remove any of the shrubs, plants, or flowers whenever in its opinion the same have become unsightly or overgrown.
51. The dimensions (imperial or metric equivalent) of the monument or memorial shall be as follows:

<u>Headstone</u>	<u>Maximum</u>
Height	3' 0"
Width	2' 6"
Thickness	4"
<u>Base</u>	
Length	3' 0"
Width	1' 3"
Thickness	3"

52. A monument or memorial shall be inscribed with its grave number, on the rear face.
53. All workmen employed on behalf of the owner of the Exclusive Right of Burial or the personal representative of such person, to erect any monument or memorial shall carry out their work strictly under the direction of the Council and shall:
- a. At the cost of the owner fill up and level the ground, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of the work.
54. The Council must be informed of the removal of any monument or memorial from the Cemetery.

55. Any unauthorised monument or memorial shall be removed at the expense of the grave owner, or the personal representative of such person.
56. Any monument or 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 or the personal representative of such person. The Council reserves the right to remove any monument or memorial, which has become dangerous or unsightly.
57. The Council reserves the right to exclude or remove from the Cemetery any monument or memorial not executed in a workmanlike manner or from sound materials, or which would in the opinion of the Council disfigure the Cemetery or offend public decency.

MAINTENANCE AND UPKEEP

58. It is the responsibility of the owner of the Exclusive Right of Burial to keep the grave space free from weeds and in a tidy condition. If the Grave Space is not being kept in a reasonable state of repair the Council reserves the right to level and grass the area.
59. The Council reserves the right to prune, cut down, or dig up and remove any shrubs, trees, plants, and flowers, at any time when the same are unsuitable or have become unsightly or overgrown.
60. The placing on graves of wire mesh, fences, kerbing, and any items detrimental to health and safety regulations shall be prohibited.
61. The Council reserves the right to remove from any grave, flowers, plants, or wreaths.
62. The Council reserves the right to remove from any grave any unauthorised items such as fences and ornaments.
63. The planting of trees, bushes or shrubs is not permitted.
64. Christmas wreaths will be removed by the Council after a period of time in each New Year.
65. Only permitted flower receptacles are allowed in the Cemetery. Under no circumstances should glass containers be used.

PUBLIC VISITORS

66. Children under 12 years of age will not be allowed within the Cemetery except under the care and control of a responsible person.
67. Visitors will be expected as far as possible to keep to the roads and paths and to refrain from touching the shrubs or flowers.

68. Dogs will only be allowed in the Cemetery if kept on a lead and under proper control. The person in charge of any dog will be responsible for clearing away any fouling caused by the dog.

69. Any person who:

- i. Destroys or injures any property belonging to the Cemetery or destroys or injures any plant or tree in it,
- ii. Daubs, disfigures, destroys, or damages any building, memorial, or inscription,
- iii. Plays any game or sport within the Cemetery
- iv. Unlawfully disturbs any persons assembled in the Cemetery for the purpose of burying any person,
- v. Commits any nuisance within the Cemetery

is liable to a maximum fine of ONE HUNDRED POUNDS and the cost of making good any damage caused.

70. The Committee reserves the right from time to time to make any alterations, additions, or amendments to these rules and regulations consistent with the Burial Acts.

71. Copies of these rules and regulations may be obtained for the cost of copying, from the Burials Officer at Bromyard and Winslow Town Council.

Adopted: 3rd October 2022

Arial view of Bromyard Cemetery





Bromyard and Winslow Town Council
The Old Vicarage
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