



# Wadebridge Town Council

The Town Hall, The Platt, Wadebridge, Cornwall PL27 7AQ

Telephone: 01208 812643

---

## EGLOSHAYLE CEMETERY – REGULATIONS

Egloshayle Cemetery is in the ownership of Wadebridge Town Council and is managed and operated in accordance with the Local Authorities' Cemeteries Order 1977, as amended by the Local Authorities' (Amendment) Order 1986 and such other regulations as may be made by the Secretary of State for the Ministry of Justice.

### CONTENTS

#### **PART ONE - GENERAL**

1. General Interpretation
2. Administration
3. Opening times

#### **PART TWO - EXCLUSIVE RIGHT OF BURIAL**

4. Purchase and registration of an Exclusive Right of Burial
5. Transfer of an Exclusive Right of Burial
6. Death of Grant Holder

#### **PART THREE - INTERMENT**

7. Notice of burial and Registrar's Certificate or Coroners Order
8. Burial Authority authorisation
9. Grave location
10. Proof of Exclusive Right of Burial
11. Grave dimensions
12. Burial registers
13. Bearing of coffin
14. Temporary removal of memorials

#### **PART FOUR - CREMATION**

15. Burial of cremated remains
16. Burial location
17. Application for burial
18. Scattering of cremated remains

#### **PART FIVE - MEMORIALS**

19. Memorial application and authorisation
20. Memorial dimensions
21. Erection of memorials
22. Approved Contractors' conduct in Cemeteries
23. Health and Safety in the cemetery
24. Memorial construction
25. Memorial identification
26. Inscriptions
27. Unsafe and neglected memorials
28. Grave maintenance
29. Loss or damage

- 30. Removal of memorials
- 31. Hours of work
- 32. Memorial wreaths

**PART SIX - CONDUCT WITHIN CEMETERIES**

- 33. Vehicles
- 34. Conduct within Cemetery grounds
- 35. Dogs

**PART SEVEN - RESERVED RIGHTS OF THE BURIAL AUTHORITY**

- 36. Differences or disputes
- 37. Alterations to Regulations

## **PART 1 - GENERAL**

### **1. General Interpretation**

#### **In these Regulations:**

“**Burial Authority**” means Wadebridge Town Council;

“**Cemetery**” means Egloshayle Cemetery;

“**Cemetery Office**” means the Town Council office (Town Hall) - responsible for day-to-day management of the Cemetery;

“**Approved Contractors**” means those contractors who are employed by the Burial Authority or any other third party working within the Cemetery;

“**Exclusive Right of Burial & Grant**” means the right of burial within the purchased grave space or memorial plot (burial rights). The Burial Authority will issue the Exclusive Right of Burial, valid for a period of 99 years, by way of a numbered Grant to the purchaser(s) who then becomes the Grant Holder(s),

“**Grant Holder**” means the owner(s) of an Exclusive Right of Burial;

“**Interment**” includes :

a) the interment of bodies or cremated human remains;

b) the interment of the bodies of still-born children or of the cremated remains thereof;

“**Opening Hours**” means the times during which the Cemetery is open to the public;

“**Table of Fees and Charges**” means the table maintained by the Burial Authority outlining all fees and charges payable. The Table of Fees is available for inspection by contacting the Cemetery Office.

### **2. Administration**

1) All enquiries regarding the Cemetery should be directed to the Cemetery Office either in person, by phone, 01208 812643 or email,

[townclerk@wadebridge-tc.gov.uk](mailto:townclerk@wadebridge-tc.gov.uk)

2) Usual office opening hours are 10:00am to 3.00pm Monday to Friday with the exception of Bank Holidays and other Public Holidays. A voicemail service is available when the office is closed.

### **3. Opening Hours**

1) The Cemetery is open to the public from dawn until dusk.

2) If it becomes necessary to close a specific area within the Cemetery notification will, wherever possible, be advised via the Burial Authority’s website ([www.wadebridge-tc.gov.uk](http://www.wadebridge-tc.gov.uk)) and/or by way of notices within the Cemetery.

## **PART 2 - EXCLUSIVE RIGHT OF BURIAL –**

### **4. Purchase and registration of an Exclusive Right of Burial**

1) An Exclusive Right of Burial shall be granted to the purchaser(s) and registered at the time a grave space or memorial plot is purchased (including those purchased for reservation). The purchaser(s) will become the Grant Holder(s) and will :

a) be issued with a Grant of Exclusive Right of Burial as proof of their ownership of the burial rights;

b) have their details entered into the Exclusive Right of Burial Register and this will be maintained by the Burial Authority.

- 2) It is the responsibility of the Grant Holder to notify the Burial Authority of any change of name or address.

#### **5. Transfer of an Exclusive Right of Burial**

- 1) A Grant Holder may transfer their burial rights subject to:
  - a) the Grant Holder completing a Form of Assignment (obtainable from the Cemetery Office) notifying the Burial Authority of the transfer; and
  - b) payment of any fee as set out in the Table of Fees and Charges.
- 2) Upon receipt of the Form of Assignment and the prescribed fee, the Burial Authority will:
  - a) arrange to meet with the transferee, and transferor if necessary, in order to complete the transfer; and
  - b) update the register.

#### **6. Death of Grant Holder**

- 1) If a Grant Holder dies without bequeathing his or her right in their will, the grave may be transferred to the name of the next of kin by submitting to the Burial Authority either:
  - a) Letters of Administration; or
  - b) a Statutory Declaration by the next of kin.
- 2) If a valid will has been left and Grant of Probate is issued the ownership will be transferred to the Executor named in the Grant of Probate. Should the Executor be a solicitor employed to administer the estate the ownership will be temporarily registered in the name of the Executor following which it will be transferred into the name of the beneficiary(ies) on receipt of a Form of Assent from the Executor.

### **PART THREE - INTERMENT**

#### **7. Notice of Burial and the Registrar's Certificate (Green Form) or Coroner's Order**

- 1) Notice of a proposed burial must be given to the Burial Authority by completing a Notice of Burial form (obtainable from the Cemetery Office) as early as possible - not less than two working days, prior to the interment. The Registrar's Certificate (green form) or Coroner's Order for burial must in all cases be delivered to the Cemetery Office prior to the burial taking place and ideally be submitted at the same time as the Notice of Burial. Failure to produce the relevant certificate(s) will result in the interment being delayed until such certificate(s) is produced.
- 2) The two working days notice, as stated in paragraph 8(1) may be reduced on request in order to comply with the customary or religious practice of any community group. Details for arranging such burials are available on request from the Cemetery Office.

#### **8. Burial Authority authorisation**

- 1) Upon receipt of a completed Notice of Burial form, the Burial Authority must authorise the proposed burial before any funeral arrangements are publicly announced.

#### **9. Grave location**

- 1) Unless the deceased is to be interred pursuant to an Exclusive Right of Burial, the Burial Authority shall specify the grave location. However, the Burial Authority shall meet the wishes of the applicant as far as practicable.

- 2) Plot reservation may be considered in some circumstances and will be subject to the Burial Authority's approval.
- 3) Memorial plots may not be reserved.

#### **10. Proof of Exclusive Right of Burial**

- 1) If the grave space or memorial plot is to be reopened for a person other than the Grant Holder, the Grant Holder must prove their identity to the Burial Authority and sign the Notice of Burial before the interment can take place.

#### **11. Grave dimensions –**

- 1) The maximum depth of a grave shall not be greater than 2400mm, and no burial shall be made without there being at least 900mm of soil between the ordinary surface of the ground and the upper side of the coffin. In a grave not exceeding 1800mm in depth,
  - a) not more than two adult coffins shall be interred or;
  - b) not more than six caskets containing cremated remains, and;
  - c) for graves where a casket is to be interred in addition to a coffin(s), prior arrangement and approval by the Burial Authority is required.
- 2) To ensure Health and Safety requirements are complied with, the Burial Authority reserves the right to determine the maximum depth of a grave depending upon soil conditions.
- 3) Only Approved Contractors may be used to dig graves.

#### **12. Burial registers**

- 1) The relevant certificate(s) for the interment of the body issued by the Registrar and/or Coroner shall be produced to the Burial Authority as set out in Part 3 - Interment, 7.(1) in order to enter the interment into the burial registers (Register of Graves and Register of Burials).

#### **13. Bearing of coffin**

- 1) The Funeral Director is responsible for:
  - a) conducting the coffin to the grave in accordance with standards of safe practice and orderliness acceptable to the Burial Authority; and
  - b) providing enough bearers to lower the coffin.

#### **14. Temporary removal of memorials**

- 1) The Grant Holder is responsible for the removal and re-fixing of a memorial in connection with a burial and may only use Approved Contractors for this purpose. Memorials re-fixed following interment must be installed in accordance with BS8415 and recognised industry Codes of Practice.

### **PART FOUR - CREMATION**

#### **15. Burial of cremated remains (Memorial Garden)**

- 1) The Memorial Garden is the designated area within the cemetery for the burial only of cremated remains. Plots in this area shall be capable of holding at least two sets of cremated remains. Cremated remains may be interred in a grave space on application to the Burial Authority.

#### **16. Burial location**

- 1) The Burial Authority shall specify the burial location.

### **17. Application for burial**

- 1) An application for burial of cremated remains must be made in the same manner and providing the same information as above.

### **18. Scattering of cremated remains**

- 1) Cremated remains may not be scattered in any part of the Cemetery without the written permission of:
  - a) any Grant Holder who's grave would be affected by the scattering;  
and
  - b) the Burial Authority.

## **PART FIVE - MEMORIALS**

### **19. Memorial application and authorisation**

- 1) The Grant Holder must complete an application form (obtainable from the Cemetery Office), and receive written authorisation from the Burial Authority, before any memorial may be erected in the Cemetery or inscription placed on a memorial. The application process may be undertaken by a stonemason on the Grant Holders behalf however the Grant Holder will still be required to sign the application form.
- 2) The Burial Authority reserves the right to remove any memorials not authorised by the Burial Authority.
- 3) Unauthorised memorials that are removed by the Burial Authority will be kept at the Cemetery Office for 60 days for collection. If not collected within this time they will be disposed of.

### **20. Memorial dimensions**

- 1) Memorials must not exceed the following maximum dimensions:
  - a) Grave space – Headstones :  
Height – 3 foot  
Width – 2 foot 6 inches
  - b) Memorial plot – Tablet (to be laid flat at earth level by the Burial Authority) :  
Width – 15 inches  
Depth – 12 inches

### **21. Erection of memorials**

- 1) The erection of a memorial will be permitted only where:
  - a) an Exclusive Rights of Burial exists;
  - b) the written permission of the Burial Authority has been granted;
  - c) payment of the prescribed fee as specified in the Table of Fees and Charges has been made to the Burial Authority;
  - d) an application is received from and signed by the Grant Holder - where the owner is deceased a transfer of ownership must be completed before any memorial work is permitted.
- 2) All memorials, including the refixing and refurbishment of memorials, must be –
  - a) constructed and erected:
    - i. in strict accordance with the size and design approved by the Burial Authority;

- ii. by a mason who is an Approved Contractor; and
  - iii. in strict accordance with BS8415 and recognised industry codes of practice;
  - b) prepared ready for fixing before being taken into the Cemetery;
  - c) erected using an appropriate and compliant foundation which where possible, must not be visible above the ground and which must be to the satisfaction of the Burial Authority;
  - d) secured into the ground using a fixing system that has been approved by the burial authority; and
  - e) fixed in line with adjoining memorials.
- 3) In the case of any departure from the approved design for which permission has been granted, the Grant Holder shall at their own expense, and to the satisfaction of the Burial Authority, carry out any work necessary to make the memorial comply with the approved design.

## **22. Approved Contractors' conduct in the Cemetery**

- 1) While carrying out work within the Cemetery all Approved Contractor's shall ensure they:
- a) take all necessary precautions to protect the grass, trees, plants, walls, paths and adjacent memorials or vaults from damage. Any damage caused shall be made good at the Approved Contractor's expense; and
  - b) completely remove all materials, tools and rubbish from the Cemetery when work is not in progress.

## **23. Health and Safety in the Cemetery**

- 1) For grave spaces, memorial vases must be integral to the headstone. Free standing vases and/or any other structures or ornaments are not permitted.
- 2) Fencing around the headstone and/or grave is not permitted.
- 3) For memorial plots, vases must be placed within the dedicated areas. Free standing vases and/or any other structures or ornaments are not permitted.
- 4) Any items which fall into the categories referred to above will be removed by the Cemetery Authority.

## **24. Memorial construction**

- 1) All memorials must be able to bear continuous exposure to the weather and must not be made of the following materials:
- a) artificial stone;
  - b) concrete;
  - c) terra cotta;
  - d) porcelain;
  - e) plastic;
  - f) glass;
  - g) polystyrene; or
  - h) any other material which in the opinion of the Burial Authority is unsuitable or incongruous with its surroundings.

## **25. Memorial identification**

- 1) The grave number and the memorial mason's name must clearly but discreetly be inscribed on the memorial base. This includes memorials that are removed for a second inscription or refurbishment.

## **26. Inscriptions**

- 1) Where an inscription has been cut without the prior approval of the Burial Authority the Grant Holder must, at their expense, remove the memorial and apply for the Burial Authority's approval.
- 2) Where a headstone is erected on a grave space purchased solely for the interment of cremated remains, a maximum of six inscriptions will be permitted. Inscriptions to the front and rear of the headstone will be permitted.

## **27. Unsafe and neglected memorials**

- 1) The Grant Holder shall maintain their memorial in a safe condition, of which the Burial Authority shall be the sole judge. The Burial Authority reserves the right to periodically inspect and test memorials for stability and take actions considered appropriate in order to protect public safety.
- 2) The Burial Authority reserves the right to notify in writing any Grant Holder if in their belief a memorial is considered unsafe. If the Grant Holder does not comply with the notice the Burial Authority shall be entitled, at the Grant Holder's expense, to revert the memorial back to a safe condition. The Burial Authority reserves the right to remove an unsafe memorial.
- 3) Renewal of the grant will only be permitted following reinstallation of the memorial in accordance with BS8415 and recognised industry codes of practice and at the expense of the owner.

## **28. Grave maintenance**

- 1) The Burial Authority reserves the right to clear and re-instate any grave following the:
  - a) planting of any unsuitable gardens, trees or shrubs;
  - b) placing of any grave furniture that is a risk to public safety; impedes the maintenance of the cemetery or is incongruous with its surroundings;
  - c) placing of any unauthorised grave surrounds.

## **29. Loss or damage**

- 1) Memorials are placed at the Grant Holder's own risk. The Burial Authority is not responsible for loss or damage done to any grave space or memorial or injury to any person within the Cemetery, except where such damage is directly attributable to the negligence of the Burial Authority or its employees. Grave owners are advised to obtain insurance cover for their memorials.

## **30. Removal of memorials**

- 1) No memorial, or part of a memorial, shall be removed from a grave without written approval of the Burial Authority.
- 2) The Burial Authority's approval of a proposed burial shall be considered consent to temporarily remove a memorial from the grave to be opened.

## **31. Hours of work**

- 1) Except with the written consent of the Burial Authority, all works in connection with the erection or restoration of memorials must be carried out between 8:00am to 5:00pm during daylight hours.



### **32. Memorial wreaths**

- 1) The Burial Authority, at its sole discretion, reserves the right to remove memorial wreaths placed upon a grave after an appropriate interval following their placement.

## **PART SIX - CONDUCT WITHIN CEMETERIES**

### **33. Vehicles**

- 1) Vehicles are permitted in the Cemetery only during Opening Hours and at the absolute discretion of the Cemetery staff.
- 2) Any vehicles, including bicycles, entering the Cemetery must:
  - a) be driven with due care and attention;
  - b) not be taken onto grassed areas.
- 3) The Burial Authority shall not be held responsible for any damage to vehicles or other property left within the Cemetery.

### **34. Conduct within Cemetery grounds**

- 1) No person while in the Cemetery grounds shall:
  - a) wilfully create any disturbance;
  - b) commit any nuisance;
  - c) wilfully interfere with any burial taking place;
  - d) wilfully interfere with any grave, vault, tombstone or other memorial, or any flowers or plants; or
  - e) play at any game or sport.
- 2) Anyone who contravenes paragraph 34(1) shall be liable on summary conviction to a fine not exceeding the limit as stated in the Local Authorities' Cemeteries Order 1977 as amended from time to time.
- 3) The Burial Authority, at its absolute discretion, reserves the right to ask any person to leave the Cemetery.

### **35. Dogs**

- 1) No dogs are permitted in the Cemetery with the exception assistance dogs.

## **PART SEVEN - RESERVED RIGHTS OF THE BURIAL AUTHORITY**

### **36. Differences or disputes**

- 1) Should any difference or dispute arise as to the real intent, meaning or interpretation of these Regulations, or Table of Fees and Charges, the decision of an authorised officer as the designated representative of the Burial Authority shall be final.

### **37. Alterations to Regulations**

- 1) The Burial Authority reserves the right to alter these Regulations or any part of them from time to time as they may see fit and may make supplementary regulations specific to named Cemeteries.