

HAILSHAM CEMETERY REGULATIONS

DEFINITIONS

The following words and expressions shall have the meanings hereinafter respectively assigned to them:-

“Cemetery Superintendent” means the person for the time being appointed by Hailsham Town Council to act as Superintendent of the Cemetery.

“Consecration Area” means the area which has been consecrated according to the rites of the Church of England.

Part of the Cemetery is left un-consecrated for the use of particular denominations or religious bodies.

“Garden of Remembrance” for the interment of ashes

“General” Words importing masculine gender include females, words in singular include plural.

“Grave Ornament” means an ornament specially designed for placing on a grave and not being designed and intended only as a container for cut flowers.

“Grave” means a Burial place formed in the ground by excavation having earthen sides and being without any artificial lining of brickwork, masonry or other materials.

“Purchased Grave” means a grave in respect of which Burial Rights have been granted for a period not in excess of 75 years

“The Cemetery” means the Cemetery provided by the said Council and situate in Ersham Road.

“The Council” means the Hailsham Town Council.

“Town Clerk” means the Town Clerk for the time being of the Council, whose office is situated at the Hailsham Town Council, Inglenook, Market Street, Hailsham, East Sussex, BN27 2AE.
Telephone: 01323 841702.

“Vault” means a grave the earthen sides of which have been lined by walls in brickwork, masonry or other materials.

OPENING TIMES

The Town Council Office *9:00am – 4:00pm Monday to Friday*

The Cemetery is open during daylight hours

Visitors are not permitted in the Cemetery after dark when the gates are closed.

In accordance with Health and Safety legislation the Council reserves the right to temporarily close the Cemetery to carry out necessary work to ensure public safety.

1) **BURIAL**

- a. No Burial shall take place, no cremated human remains shall be scattered without the permission of the officer appointed for that purpose by the Burial authority.
- b. Any grant of the exclusive right of Burial in a grave space which is assigned by deed or bequeathed by will, must be notified to the Town Clerk by the person to whom the right has passed.
- c. No Burial may take place before **10.00am or after 3.00pm Monday to Thursday, and 9.30am to 1.00pm Friday** without the special permission of the Town Clerk. If agreed by the Council outside these times, an additional charge will be incurred. The time appointed must be the time when the funeral is to arrive at the Cemetery, which must be punctually observed.
- d. No Burial shall take place on a Saturday, Sunday or bank holiday.
- e. Notice of interment, on the form provided by the Town Clerk, must be given to him at least 48 hours (excluding Saturdays, Sundays and public holidays) before the interment. 72 hours' notice must be given of an interment in a walled grave or vault.
- f. If the owner of a grave as stated on the **Exclusive Right of Burial** is deceased, a re-assignment of the **Exclusive Right of Burial** will be required. Please contact the Town Clerk for further information.
- g. On every opening of a grave in respect of which the exclusive right of Burial in the grave space has been purchased, the **Deed of Grant of Exclusive Right of Burial** must be produced to the Cemetery Superintendent on giving notice of Burial, together with the written consent of the purchaser and where applicable, the person to whom the right has been transferred.
- h. All fees and charges are to be paid to the Council; in the case of an interment, at the time of giving notice, and in all other cases before the work in respect of which they are payable is begun. A receipt for every payment will be given on an authorised form.
- i. In accordance with **Section 1 and 5 of the Births and Deaths Registration Act 1926**, The **Registrar's Certificate of the Death**, or the **Coroner's Warrant** must be delivered to the Officiating Minister or the Superintendent previous to the interment of the body. **Burials and Death Regulations Act 1953 S.24 (1)**. Before the burial of a stillborn child a **Medical Certificate or a declaration** signed as required by the "**Births and Deaths Registration Act, 1953, Section 11**", must be delivered to the Superintendent.
- j. In the event of cremation in accordance with the regulations made under **Section 7 of the Cremation Act, 1902 (2 Ed. V11. c8) Notification Certificate of Disposal (Part C)**, must be handed to the Superintendent prior to the interment of ashes.
- k. **The Registrar of Births, Deaths and Marriages certificate** for disposal or the **order for Burial where an inquest has been held**, must be given to the Cemetery Superintendent at least one day before the funeral

- l. Not more than one body shall be buried in any grave unless a layer of earth at least 6 inches (15.24cm) thick shall be left between each coffin in that grave and the top of every coffin in any grave other than a vault shall be at least 3 feet (91cm) below the surface of the ground.
- m. No grave space shall be greater than 7 feet (213 cm) long or 3 feet (91cm) wide and consequently no caskets exceeding these sizes shall be interred. In mitigating circumstances when a larger casket is a necessity, permission must be sought from the council.
- n. No coffin shall be buried at a greater depth than 6 feet and 6 inches without the Town Clerk's special permission.
- o. Burials at which more than 50 persons may be expected should be notified to the Cemetery Superintendent in advance to allow for appropriate arrangements to be made.
- p. If a funeral arrives late the interment will take place as soon as possible and at a time as directed by the Cemetery Superintendent.

2) CARE OF GRAVES

- a. All gravestones and monuments on a purchased grave must be kept in repair by the owner or owners thereof. Any person carrying out work of any kind on a grave shall take such steps as may be necessary to protect the adjoining graves, memorials, grass, trees, plants, paths and all persons from injury.
- b. If the exclusive right of Burial has been granted in any grave space the surface of such grave will be kept in order and maintained by the owner.
- c. The Council will not be responsible for damage to any monument or gravestone through any cause whatsoever.
- d. The Cemetery Superintendent shall be at liberty to remove from a grave any article which is or has become broken or unsightly and in particular may remove any flowers which have deteriorated. (This includes artificial flowers).
- e. No person may plant shrubs, or plants on any grave in the Cemetery except with the permission and under the control of the Cemetery Superintendent and where permission is granted the Cemetery Superintendent may at any time after the grant of permission trim or remove such shrubs or plants if he considers such action is desirable.
- f. Mounding of graves or the removal of turf from graves or its surroundings will not be permitted.
- g. The use of chemicals on graves and grass surrounds is prohibited.
- h. The Council reserve the right to remove any monument, memorial, border stone, bench or footstone from any grave when such removal is deemed by the Cemetery Superintendent to be necessary for the carrying out of an interment in an adjoining grave. The Council will however replace the same and make good any damage which may have been caused during such removal and replacement.
- i. The Council reserves the right to maintain, repair or remove any item that the Cemetery Superintendent considers to be unsafe or unsightly.

3) **MEMORIALS**

- a. Except as otherwise permitted by the Town Clerk only one gravestone, monument or permanent grave ornament is permitted on any grave.
- b. Drawings of every gravestone, monument or grave ornament showing the form and dimensions of every monument proposed to be erected together with a copy of any inscription shall be submitted to the Town Clerk on the forms provided by the Council.
- c. All questions as to the fitness of any inscription in the consecrated part of the Cemetery being ultimately determinable by the Bishop of the Diocese
- d. No gravestone, monument or grave ornament shall be erected or placed on any grave without the prior approval of the Cemetery Superintendent.
- e. No receptacle or other article for cut flowers other than a vase shall be placed upon any grave without first having been approved by the Cemetery Superintendent. Anything placed contrary to the regulations may be removed.
- f. All gravestones, monuments or grave ornaments being erected or placed on a grave, or where applicable, being re-erected, shall have the appropriate grave number inscribed thereon.
- g. Gravestones and monuments or grave ornaments of Caen, Bath or other soft stone or any artificial materials or substance will not be permitted without the prior consent of the Town Clerk.
- h. If stone chippings are to be laid on a grave, they should be retained within a flush kerb border.
- i. No gravestone/memorial/kerb stone shall be erected by anyone other than an approved stonemason.
- j. No hewing or dressing of stones will be permitted within the Cemetery and all materials for graves, vaults, monuments or grave ornaments shall be conveyed into the Cemetery in such a manner, under the direction of the Cemetery Superintendent, as will avoid damage to the ground and walks; and all refuse, soil, rubbish and materials shall be removed under the direction of the Cemetery Superintendent.
- k. No advertisement shall be put upon any gravestone, monument or grave ornament or on the kerbs of any grave except that the name only of the monumental mason may be inscribed in letters not exceeding ½ inch (13mm) in height.
- l. A foundation base 3 feet x 2 feet (91cm x 61cm) shall be provided for all headstones to which the headstone shall be securely affixed. All kerbs shall be properly dowelled and cramped into base and footstone. All headstones shall be affixed in accordance with **BS8415 and the National Association of Memorial Masons recommended Code of Practice.**

- m. All headstone bases and other bases, landings and under bearings shall be sited and placed into position under the direction of and to the approval of the Cemetery Superintendent.
- n. The work of erecting or renovating gravestones, monuments and grave ornaments is not permitted on Saturdays Sundays.
- o. All gravestones, monuments and grave ornaments shall be kept in repair by the owner and if not so kept in repair may be repaired or removed by the Council at its direction and at the expense of the owner.
- p. Gravestones, monuments and grave ornaments will be allowed only on graves in respect of which there is an exclusive right of Burial.
- q. The height of a monument shall be measured from the natural level of the highest adjoining ground to the grave space and not from any made up ground within the kerb and shall not exceed 48 inches (1.2 metres) in height.
- r. In areas set aside exclusively for the Burial of cremated remains, memorial stones are permitted either flat or inclined, of a standard size, 30cm x 30cm x 5cm (12" x 12" x 2") incorporating, if desired, a receptacle for flowers or potted plants. A slightly sloping tablet may be used as an alternative to a flat stone. (amended see Minute Ref: 91.2 meeting 11th September 2006).
- s. The following trees may be used as commemorative planting in Ersham Road Cemetery. The scattering of ashes beneath the trees is permitted: Snowy Mespil, Holly, Rowan, Japanese Flower Crab Apples, and Japanese Flowering Cherries. Contact the Town Clerk's Office for further details.
- t. The use of wooden crosses is not permitted after one year of the date of Burial. After this date the Cemetery Superintendent has the right to remove.
- u. The Council reserves the right to test memorials for safety and stability as an ongoing programme. Where memorials are identified as being unsafe the Council will take action to remove the risk.
- v. Cemetery Meadowland Area: The intention for this area is that it is an entirely 'natural' area free from all adornments. No form of headstone, memorial, monument or inscribed vase will be permitted to be placed on the grave space. Additional memorial benches are not allowed in this area,

4) GENERAL

- a. Children under 12 years of age will not be admitted to the Cemetery unless under the care of a responsible adult.
- b. Dogs are not permitted in the cemetery with the exception of registered guide dogs. A person shall not cause any dog belonging to him or in his charge, or entice any dog, to enter or remain in the cemetery.
- c. Recreational cycling, skateboarding and the like are not permitted.

- d. Motor vehicles should not be driven in excess of 10 miles per hour. No vehicle should be parked or left unattended on the driveways. Cars may only be parked in designated parking spaces. Cars parked in unauthorised areas may be clamped.
- e. Any damage caused to memorials or buildings by vehicles the owner of such vehicle shall be liable for the cost of its repair or replacement.
- f. Any damage caused to turf, plants, trees etc. by vehicles the owner of such vehicle shall be liable for the cost of its repair or replacement.
- g. The playing of radios, music or any musical instruments in the grounds of the Cemetery shall not be allowed without the permission of the Town Clerk.
- h. Visitors shall not prevent the Council's staff from carrying out their duties nor employ them to carry out work within the grounds of the Cemetery.
- i. No person shall distribute any tract, business card, advertisement or literature of any kind nor solicit orders within the Cemetery or at the entrance either for himself or on behalf of any other person.
- j. Where the Council remove any item, memorial or any other object to ensure compliance with regulations, the Council will not be responsible for their safe keeping, nor if as a result of their actions any damage occurs to the item removed.
- k. Whenever it is expected that a large number of people may be likely to damage the flower beds or shrubs in the Cemetery, in consequence of a funeral being attended by a band of music, or for any other reason, the Cemetery Superintendent shall be empowered to close the Cemetery for such time prior to the arrival of the funeral as he shall consider necessary and to keep the same closed and refuse to allow the public to enter the Cemetery for such time during and after the interment as he may in his discretion consider necessary.
- l. No person shall do anything that is likely to cause offence to any other person lawfully using the Cemetery.
- m. The Council reserves the right from time to time to make alterations to these regulations which they may deem necessary or expedient.
- n. In case of a divergence of opinions, the Town Council's word is final.

5) OFFENCES AND PENALTIES

By the provision of Article 18 of the Local Authorities Cemeteries Order 1977 it is enacted that:

No Person shall –

- a) Wilfully create any disturbance
- b) Commit any nuisance
- c) Wilfully interfere with any burial taking place
- d) Wilfully interfere with any grave or vault, any tombstone or any memorial, or any
- e) flowers or plants or any such matter
- f) Play at any game or sport

- g) No person not being an Officer or Servant of the Burial Authority or another person so authorised by or on behalf of the Burial Authority shall enter or remain in the Cemetery at any hour when it is closed to the public.

These regulations shall come into effect on 01/05/2019 and from that date shall supersede all previous regulations made in respect of the Cemetery.

Town Clerk
Hailsham Town Council

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