

# **Swindon Borough Council - Cemetery Regulations**

## **Bereavement Service – Kingsdown Cemetery.**

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### **Introduction**

The Council welcomes all visitors to their cemetery at Kingsdown. Visitors are asked to respect the peace, dignity and reverence of these facilities.

Although these regulations are a requirement for the management of the Cemeteries Section every effort has been made to avoid restricting the rights and choices of the individual. Therefore, these regulations have been prepared with a balance between individual rights/information and the need to regulate for safe and tidy grounds. For example, the prohibition of glass and plastics is based upon these items becoming potential hazards when mowers are used. It is not based upon aesthetic considerations.

The Council works with the principle of the Charter for the Bereaved and will be committing to giving you the rights that are provided by the Charter.

With regard to regulations the Charter gives for the following rights:

- a) You have a right to be given a list of regulations used by the Swindon Borough Council (as shown in this document).
- b) You have a right to be given a written explanation why a particular regulation has been used to restrict or otherwise influence your rights. Where you remain dissatisfied, you can utilise the Council's complaint procedure. Further information on this is available upon application.

## **General Regulations**

### **Terms**

“The Council” – Swindon Borough Council

“The Manager” - The person appointed by the council to be responsible for the Management of the cemeteries and their staff.

“The Cemetery” – Kingsdown Cemetery.

- 1 Anyone visiting the cemetery must follow these regulations.
- 2 You must follow these regulations and any instructions that the Manager or his staff may give you when you visit the cemetery.

### **Opening Times**

- 3 The cemetery will be open to the public every day of the year.  
On weekdays from 9.00 am to 5.00 pm and at weekends and public holidays from 11.00 am to 4.00 pm.

The management reserves the right to close the cemetery without notice if considered necessary.

### **Vehicles**

- 4 Vehicles are not allowed in the cemetery beyond the main car parking area, with the exception of vehicles displaying a disability badge, funeral directors and approved contractors. *This is to provide a vehicle-free environment for pedestrians.*
- 5 The speed limit in the cemetery is 5 miles an hour.
- 6 You must not drive on grassed areas or pathways between sections.

### **Children**

- 7 Children under 14 are not allowed in the cemetery unless they are under the care of a responsible adult.  
*This is for their safety.*

### **Dogs**

- 8 No dogs shall be permitted in the cemetery grounds except for dogs for assistance.

## **Offices and Staff**

- 9 The administration office is based at:  
Kingsdown Crematorium & Cemetery  
Swindon Borough Council  
Kingsdown Road  
Swindon  
Wilts  
SN25 6SG  
Tel. No. 01793 822259  
Fax. No. 01793 821393

The office is open from 9-00 am to 5-00 pm, Monday to Friday but is closed at weekends and on public holidays.

Records of burials, graves, cemetery plans, cremations and subsequent memorials are available for inspection in accordance with the Data Protection Act 1998 and the Freedom of Information Act. Please telephone the administration office to arrange this.

- 10 Council staff are not allowed to receive tips or any other gifts.
- 11 We will issue printed receipts for any money paid to us.
- 12 A plan of the cemetery is available in the administration office for you to look at during office hours.
- 13 All persons entering the cemetery do so at their own risk and the Council shall not be liable (except in respect of personal injury or the death of any person caused by the Council's negligence) for any injury or damage sustained, regardless of the form of action, whether in contract, tort (including negligence or breach of statutory duty), strict liability or otherwise.
- 14 No person shall canvass or solicit orders in the cemetery grounds.

## **General Points for the cemetery and all graves**

- 15 The permission of the manager shall be requested before photographing, filming or drawing any objects in the cemetery grounds.
- 16 No decoration, tributes, wind chimes, ornaments etc. shall be placed onto Council property, including trees, fence lines and buildings.
- 17 Memorial benches are allowed for the use of all cemetery visitors and as such must remain free of any personalized memorabilia and decoration.

- 18 The Council does not accept responsibility for damage or loss of any memorials, ornaments etc howsoever caused. The Council has a responsibility to ensure the cemetery is free of obvious dangers and hazards. Examples of hazards are glass, pottery items that break, sharp objects, items placed in paths reducing the width of the path and items that are a tripping hazard. Such items will be removed with or without prior notification and will be available for collection from the office for a period of one month. In addition it may be necessary from time to time to remove items in the cemetery that cause a disturbance, such as wind chimes, or offence to visitors attending the cemetery. Please help the Council to provide a safe cemetery, which is an attractive and peaceful place to visit. As a responsible grave owner you have your part to play.

## **Burials (Bookings and Interment Papers)**

### **Guiding Principles For Burial Services**

*We have adopted the Guiding Principles for Burial Services that are issued by the Institute of Cemetery and Crematorium Management (ICCM).*

### **Booking Burial Service Times**

- 19 Applications for burial must be made to the administration office between the hours of 9.00 am and 5.00 pm, Monday to Friday (except public holidays). Burials shall not take place on Saturdays, Sundays, Christmas Day, Good Friday and Public Holidays
- 20 Interments must take place between the hours of 9.30am and 2.00pm straight to grave.
- 21 Burial times may be booked by Funeral Directors using the Tele-Tone out of hours booking system from 5.00pm until 8.30.a.m.Monday to Friday and 5.p.m. Friday until 8.30am Monday and all bank holidays.

### **Interment Notices**

- 22 Completed Interment Notices must be delivered to the administration office by 12.00noon at least two clear working days before the planned day of burial. The coffin or casket size must be confirmed in writing, the size must be exact. Any alteration to these sizes must be notified to the crematorium office in writing at least one working day prior to the funeral.
- 23 If we do not receive a completed Interment Notice by the required time, the Manager may decide to postpone the funeral.

### **Fees**

- 24 All fees and charges must be paid before the burial.
- 25 Purchase Fees: the charge for the purchase of the Exclusive Right of Burial in a grave space applies to persons who were resident within the Borough of Swindon at the time of death. The purchase fee is doubled if the deceased is not a resident of the Borough of Swindon. This does not apply to the interment fee.

## **Burials (General Regulations)**

### ***Arriving at the cemetery***

- 26 The time booked for a funeral is the time that the cortege is due to arrive at the cemetery.  
*You must keep to this time to avoid disruption to other funerals.*

Arriving early or late

- 27 If the cortege is to arrive early or is delayed, please contact the administration office. The funeral must wait until it is convenient for it to carry on.

### **Certificate for Disposal**

- 28 The Registrar's Certificate for Disposal or the Coroner's Order for burial must be handed to the Supervising officer of the Council before the burial can take place. *If you do not hand the Registrar's Certificate or the Coroner's Order for burial to the Supervising Officer, then the burial **must not** take place EXCEPT in the situation where the certificate has been issued but forgotten by the funeral Manager. If this happens, the funeral Manager must sign a declaration in accordance with the Births and Deaths Registration Act 1926 before the funeral can take place. This declaration must explain why the certificate has not been delivered and promise to deliver it to the administration office as soon as possible, preferably on the same day as the burial or, in exceptional circumstances, on the next day.*

*Any reference to coffins in the following regulations will apply also to caskets.*

- 29 Each individual body whether an adult or child must be brought into the cemetery in a separate coffin. The only exceptions to this rule will be:
- when a mother dies in childbirth in which case both the mother and child can be in the same coffin
  - when twins or multiple births die in childbirth the babies can be in the same coffin, or
  - at the discretion of the Manager.

### **Use of chapel**

- 30 Currently there is no chapel at Kingsdown cemetery for a service prior to a burial. The chapel at Whitworth Road cemetery is available for this should it be required. Coffins may be open in the chapel during the service at the discretion of the Manager.

The structure of the Coffin

- 31 For burial purposes coffins can be made of wood, wicker or cardboard. Shrouds may also be allowed but you must tell the administration office when you book.

### **Opening Graves**

- 32 No grave for which a Grant of exclusive right of burial applies can be opened without the written permission of the registered owner unless the burial is to be that of the registered owner. It is the Council's policy to excavate graves to a maximum depth of 6 feet.
- 33 If the burial is to be of the registered owner of the Grant of Exclusive Right of

Burial we do not need written permission to open the grave. However the name of the deceased as shown on the Registrar's Certificate for Disposal must be *exactly* the same as the name on the Grant of Exclusive Right of Burial to make sure that only the correct person is buried in the grave. Any variation in the names must be explained before the burial can take place.

### **Producing The Grave Deed**

- 34 We have the right to demand to see the Deed of Grant of Exclusive Right of Burial before a grave is opened.

### **Soil Box**

- 35 We have the right to put soil and or soil boxes on graves next to those that need to be opened for a burial without notice. We will remove the soil or soil box immediately after the burial and put the grave back to how it was.

### **Flowers**

- 36 It is usually the family preference to remove flowers after the funeral as they become unsightly, otherwise they will be cleared after 14 days. Cemetery staff will remove Christmas wreaths that remain on graves as soon as possible after 31<sup>st</sup> January.

## **Health and Safety**

- 37 When we dig graves in certain areas of the cemetery, we may need to request the removal of the memorial to make room for equipment — this is a health and safety requirement.
- 38 Representatives of the deceased may, at their own risk, back fill the grave after an interment upon completion of a form of indemnity. Prior notice must be given to the administration office by the Funeral Director. The Council will not accept any liability in respect of injury whilst carrying this out.
- 39 The Council does not accept responsibility for any damage to a grave or memorial either by natural causes or by a third party.
- 40 The Council accepts no responsibility for any theft from graves or vehicles.

## **Exclusive Rights of Burial.**

*We grant exclusive Rights of Burial in graves for up to 75 years. This maximum period of Grant is governed by legislation.*

- 41 We will grant the exclusive Right of Burial in a grave for a set period of 75 years.
- 42 It is the duty of each grave owner to notify the administration office of any change of address in order to keep a full and accurate record
- 43 No more than two grave spaces may be selected and purchased at any time without the consent of the Council.

## **Graves**

*We offer different types of grave to suit the needs of the public. These graves range from public graves (owned by the Council), to lawn graves, traditional graves and woodland graves.*

*Please note that the purchase of a grave space is for the purchase of the Exclusive Right of Burial in that grave and **not** for the purchase of the land. The land remains the property of the Council at all times.*

*The registered grave owner is responsible for memorials and for looking after their grave space.*

## **Types of Grave**

### **Lawn graves**

*The typical lawn grave is a grave that is laid to lawn and has no mounds, full traditional kerb surrounds or anything apart from lawn on it. The registered owner may apply for permission to erect a memorial. There is a small garden space in front of the headstone where you can plant seasonal flowers, but no shrubs, bushes or trees. The grave owner is responsible for looking after the garden space and the area around the headstone, but should give consideration to adjoining grave spaces.*

- 44 Memorials on lawn graves must not exceed 910mm (three feet) in height, including the base above ground level, 610mm (two feet) wide and a maximum of 152mm (6 inches) thick. The memorial mason provides the foundation slab dimensions 910mm (three feet) by 457mm (1foot 6 inches) by 76mm (3inches) set at ground level. You are allowed a border 305mm (12inches) deep from the front of the foundation in which to plant. Plants are to be no higher than 500mm (20 inches). **No other forms of decoration or adornment of the grave will be permitted.**
- 45 Memorials must be made of marble, granite or other natural quarried stone, and may not be placed on the grave until 6 months have elapsed since the burial took place.

- 46 Grave owners must have the grave number inscribed on the memorial and make sure that the number can be seen.

### **Fixings**

- 47 Headstones within the lawn section must be fixed to the current National Association of Memorial Masons Code of Working Practice standard with a ground anchor system into the foundation.

### **Woodland Graves**

*We have introduced woodland graves because some people want to be buried in an area of natural beauty. These graves are located where no memorials are allowed. This is to protect the naturalness of the area.*

*As with all private graves in the cemeteries we issue the Grant of Exclusive Right of Burial for a set period of time. For a woodland grave this is for up to 75 years.*

- 48 You cannot put any memorial or marker on a grave in the woodland area.
- 49 We do not allow mounds on graves in the woodland section of the cemetery. **No floral tributes, decoration or adornments of any form are permitted on these graves.** *Please note that grass cutting is kept to a minimum.*

### **Public Graves**

*Public graves are provided for people who do not want to buy the Exclusive Right of Burial and the grave space will be allocated by the Council. You cannot put any memorial or marker on a Public grave.*

### **Traditional Graves**

*Traditional graves will require a concrete landing, 2130mm (84 inches) long by 1066mm (42 inches) wide, placed over the entire grave prior to the fixing of a kerb set surround, allowing for the owner of the Right of Burial to have a memorial put on this landing. The memorial can consist of a headstone and kerbs which must not exceed 1981mm (78 inches) long by 914mm (36 inches) wide and 152mm (6 inches) in depth. The overall height of the headstone permitted will not exceed 910mm (three feet) above the adjacent ground.*

- 50 All memorials on traditional graves must be securely fixed on the landing. Memorials must be made of marble, granite or other natural quarried stone, and may not be placed on the grave until 6 months have elapsed since the burial took place.

## Cremated Remains

- 51 Provision is made for the interment of two biodegradable caskets of cremated remains in one plot. The total is dependant on the size of casket used. The memorial is to be removed for the second or subsequent interment by an approved memorial mason.
- 52 The Council provides a foundation stone, set at ground level, measuring 610 mm (24inches) length, 457 mm (18 inches) width and 50mm (2 inches) deep for placing of a memorial. Each foundation stone set at ground level will 'butt' the adjoining stones at the sides and head.
- 53 The memorial is a desktop tablet design and must not exceed 457mm (18 inches) in length, 380mm (15 inches) in width and 228mm (9 inches) in height reducing to 76mm (3 inches) at the thinner end. The grave number is to be inscribed at the thinner end. **No other forms of decoration or adornment of the grave will be permitted.**
- 54 Natural flowers only can be placed in the vase situated within the memorial. Additional vases, jars or pots, or other decorative memorabilia are not permitted and will be removed by cemetery staff. The planting of flowers, shrubs, roses or miniature trees around the plots is not permitted.

Scattering of cremated remains is available in the woodland area. Once remains have been scattered there will be no possibility of recovery.

## **Managing Cemetery Memorials**

*The installation of new memorials, renovation of existing memorials, and added inscriptions to memorials is carefully controlled by the Council to ensure that:*

- a) Work is only carried out with the authority of the registered owner/s of the Rights of Burial.*
- b) That all memorials comply with Swindon Borough Council Regulations applicable to the erection and maintenance of memorials, and work is carried out in a manner that will ensure that all Health & Safety regulations are adhered to.*
- c) Only masons on the Council's register of Accredited Stonemasons will be able to fix memorials, and they must have a BRAMM Business Registration Certificate which indicates that they employ staff with a Fixer's Licence.*
- d) We will grant the Exclusive Right to Place a Memorial on your grave for a period of 30 years. This is in line with the guarantee that we require stonemasons to give when fixing memorials. At the end of this term, the Grant may be renewed every five years up to the end of the term of the Grant of Exclusive Right of Burial, on payment of the appropriate fee. If the Exclusive Right to place a Memorial is not renewed, the Council reserves the right to remove the memorial from the grave.*
- e) Temporary grave markers are allowed, but not on Woodland graves, for a period of twelve months after the interment, but are to be removed when a permanent memorial has been fixed. Stone memorials may not be placed until six months have elapsed since the interment.*
- f) It is strongly recommended that the grave owner obtains appropriate insurance cover against all risks for the memorial.**

55 Memorials and surrounds may not be erected over any grave in which the Exclusive Right of Burial has not been purchased.

56 Once any memorial has been erected, the grave owner or their executor or personal representative will be held to be responsible for the future maintenance and safety of that memorial. Any memorial deemed to be unsafe by the manager will be rendered safe and must, without delay, either be removed from the cemetery or repaired by an approved memorial mason. The costs of rendering the memorial safe shall be borne by the owner.

57 Applications for memorial work, together with the relevant fee, must be submitted to the Manager for approval. This application must be made on the form "Application for permission to erect a Memorial." This form should include the name and address of the memorial mason who will carry out the work, the material and measurements of the memorial, requested inscription and a diagram of the proposed memorial. The application form must also contain the full names of the registered grave owner/s and their signatures to give permission for the work to be done. The shape and design of a memorial will be considered on application, as long as they do not exceed the sizes given. Please note, memorials overall height **MUST** include the height of its base.

- 58 Only memorial masons who appear on the Swindon Borough Council Register of Approved Memorial Masons, or any future replacement scheme, such as the British Register of Accredited Memorial Masons (BRAMM), are permitted to carry out work here on memorials to ensure the installation of memorials is carried out in a safe manner to National Standards. Application for acceptance onto the register must be made in writing using the appropriate form. The Council has the right on demand, at the memorial masons cost, to require the memorial mason to dismantle a memorial to demonstrate that correct fixing methods have been used. Contravention of the regulations may result in removal from the register. All memorials are to be fixed on approved foundations and to National Association of Memorial Masons (NAMM) Code of Working Practice, as specified in the licensing agreement.
- 59 The manager has the right to decline any memorial/inscription that is deemed inappropriate for the cemetery.
- 60 Trade names must not be placed on any memorial.
- 61 All memorials must be of natural quarried solid stone.
- 62 Memorials may not be placed over graves until 6 months have elapsed since the interment.
- 63 We do not allow kerbs, posts or vases on the lawn section. Any memorabilia placed on graves will be removed by the council and placed in store to be collected by the grave owner.
- 64 The Manager may allow wooden memorials (not crosses) but prior authorisation must be given.
- 65 We may ban any person that we find trying to get business within the cemetery from entering the cemetery in the future.
- 66 Every memorial must have the number and section of the grave that it is going to be erected over inscribed on the right hand side of the reverse of the base.
- 67 We do not allow crosses made of wood, or other movable or fragile items in the cemetery.
- 68 You cannot bring a memorial into the cemetery, or allow one to be put up, other than by an approved Stone Mason. We are not responsible if the memorial is damaged.
- 69 All monumental masons vans and trucks must be removed from the cemetery by 3.30 pm Monday to Friday. Masons are not allowed to work in the cemetery on Saturdays, Sundays and Public Holidays.

- 70 Memorial permits will be issued from the administration office, and the signed permit must be presented to the Supervisor, who will inspect the memorial, before it is erected.
- 71 The Council, as part of its Memorial Management Scheme, will routinely inspect memorials and work will be required on memorials that are in a dangerous or dilapidated state.
- 72 The Council reserves the right, after reasonable notice to the person concerned and failure to take the necessary action, to remove any memorial that infringes these regulations, or in the opinion of the council is in a state of disrepair.

**The Cemeteries Section reserves the right to alter their regulations at any time and these regulations must be adhered to. Amendments are available on request.**