

FELIXSTOWE

TOWN COUNCIL

Regulations in respect of the Council's Cemetery, Garden of Remembrance and Lawn Cemetery

Introduction

Our aim is to respect the rights and choices of any individual wherever possible, but to be fair to all, and above all to keep everyone safe. To maintain our cemetery to high standards, we need regulations that should be followed by all visitors to our cemetery.

Felixstowe Cemetery is located on Langley Avenue, Felixstowe IP11 2ND. The Cemetery Grounds & Maintenance Manager has an office situated at the Cemetery. The Grounds & Maintenance Manager is responsible for the day to day maintenance and running of the cemetery. All administration, including purchasing grave spaces, interments, and memorial applications should be directed to the Cemetery Officer, Felixstowe Town Hall, Undercliff Road West, Felixstowe IP11 2AG.

Telephone 01394 282086.

In these regulations:

“**Burial Authority**” means Felixstowe Town Council.

“**Cemetery**” means Felixstowe Cemetery, Langley Avenue, Felixstowe IP11 2ND.

“**Cemetery Office**” means the Town Hall Felixstowe.

“**Exclusive Right of Burial**” means a right that may be purchased from the Burial Authority which grants the purchaser, and his or her successors the exclusive right of burial in a designated burial plot for a specified number of years.

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

To comply with the relevant laws, the cemeteries are run in accordance with the Local Authorities Cemeteries Order 1977, as amended by the Local Authorities (Amendment) Order 1986 as well as any regulations made by the Secretary of State.

Opening Hours

The Cemetery opening hours are 8.30 am to 4.00 pm in the Winter and 8.30 am to 8.00 pm in the Summer. The cemetery is open to the public every day of the year. Burials take place between 9.00 a.m. and 2:45 p.m. from Monday to Friday. If you would like a burial to take place outside these hours or at weekends every effort will be made to fit in with your requirements, although additional fees will be charged.

Specified areas in the Cemetery may be temporarily closed to visitors by placing notices warning of the intention in conspicuous positions at the entrance of the Cemetery and adjacent to the relevant areas.

The opening hours for the Cemetery Office, Town Hall are 9.00am to 4pm, Monday to Friday excluding Bank Holidays.

[A] INTERMENTS

1. A Notice of interment must be given on the Council's prescribed form at the offices of the Felixstowe Town Council, Town Hall, Felixstowe, IP11 2AG between 9.00 a.m. and

4.00 p.m. [Mondays to Fridays] at least 48 hours preceding the proposed interment [exclusive of Saturdays, Sundays, Christmas Day, Good Friday and Statutory Bank Holidays.] Three clear days' notice must be given if a bricked grave is required. The notice given 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 Felixstowe Town Hall.

2. All arrangements for interment made by telephone must be confirmed in writing within 24 hours.
3. In the case of a grave in respect of which the exclusive right of burial has been granted, the notice of interment must be signed by the registered owner or the legal representative.
4. Arrangements with the officiating ministers must be made by the undertaker or relatives. The Burial Authority accepts no responsibility whatsoever in connection therewith.

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.
5. No body must be interred unless contained in a coffin bearing a non-perishable nameplate, which gives details regarding the name of the deceased and date of death.
 6. All coffins presented for interment must be constructed of a perishable nature. The use of lead, zinc linings etc is strictly prohibited.
 7. Where a right of burial has been granted, the first interment in each grave must be at a depth of not less than five feet six inches and not more than eight feet six inches and no interment must take place in any such grave without a covering of earth three foot in thickness at the least measuring from the surface of the coffin to the ordinary level of the ground.
 8. The relevant certificate(s) for the interment of the body issued by the Registrar and/or Coroner must be produced to an Officer of the Burial Authority prior to interment. Failure to produce the relevant certificate(s) will result in the interment being delayed until such a certificate(s) is produced.
 9. 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, all Stonemasons shall be BRAMM or NAMM registered. Memorials re-fixed following interment must be installed in accordance with the National association of Memorial Mason's Recommended Code of Working Practice.

10. Unless the deceased is to be interred pursuant to an existing Exclusive Right of Burial, the Burial Authority shall specify the burial location.
11. A layer of earth at least six inches in thickness shall be left between each coffin in the same earthen grave.
12. **We reserve the right of passage over all graves and to have any grave temporarily covered whilst carrying out excavations. We will tidy any disturbed neighbouring graves as soon as possible after the burial.**
13. Only the Burial Authority can authorise or employ people to prepare graves.
14. Urns or receptacles containing cremated remains may be interred in private graves with the consent of the Grant holder and a Notice of Interment application form being submitted to the Cemetery Office. A certificate for Burial of Ashes issued by the Registrar of a Crematorium must be produced before the interment or scattering of the ashes takes place.
15. **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**

[B] PURCHASE OF BURIAL RIGHTS

1. The exclusive right of burial in any such grave space may be purchased by an inhabitant or non-inhabitant subject to the payment of the fees for the time being prescribed by the Council, and completion of the relevant application form.
2. The purchaser will have their details entered into a register that will be maintained for this purpose by the Burial Authority.
3. The Grant Holder is entitled to decide who is interred in the grave and whether a memorial can be erected on it (subject to the relevant fee being paid and permission from the Burial Authority).
4. The exclusive right of burial is currently granted for 50 years, this can be extended at any time for a period of either 25 years or 50 years subject to the relevant fee. When the exclusive right of burial period comes to an end the Grant Holder or his/her heirs or successors who have become the Grant Holder) will have the option of renewing that right, subject to any restrictions which may be in force at that time. Any right of burial that has expired must be renewed (and backdated if necessary) before an interment or memorial can be placed on the grave.
5. **Ownership of the ground does not at any time pass from the control of the Burial Authority.**
6. No transfer of the exclusive right of burial in a grave will be allowed without the approval of the Council and no transfer will be valid unless the Deed of Grant has been properly endorsed by the Clerk of the Council.

- 7 It is the responsibility of the Grant Holder to notify the Burial Authority of any change of name or address.
- 8 The Grant Holder is unable to transfer their exclusive right of burial to another grantee without:
 - a) The Grant Holder completing a Form of Assignment (obtainable from Felixstowe Town Hall) notifying the Burial Authority of the transfer; and
 - b) Payment of any prescribed fee as set out in the Table of Fees and Charges.

Upon receipt of the Form of Assignment and the prescribed fee, the Burial Authority will:

- a) Provide written confirmation of the transfer to both the transferor and transferee; and
 - b) Update the register.
- 9 If it is not found to be practicable to effect the immediate transfer of the exclusive right of burial following the death of the registered owner, the person signing the notice of interment as owner of the right, shall thereby indemnify the Council against all claims in respect thereof.
 - 10 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:
 1. Letters of Administration or Grant of Probate;
 2. Statutory Declaration by the next of kin.

If Grant of Probate has been issued the ownership will be transferred to the executor(s) 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.

- 11 The exclusive right of burial can be purchased by joint owners, but no more than four owners per grave space will be allowed.

[C] MONUMENTAL WORK AND ERECTIONS

1. A Memorial Application form (obtainable from the Cemetery Office or local Stonemasons) must be submitted with drawings of every proposed erection with the proposed inscription showing all dimensions, sections etc., for the approval of the Council. The Stonemason must receive written authorisation from the Burial Authority, and the necessary fees must be paid before any memorial may be erected in the Cemetery or additional inscription placed on a memorial.
2. All memorials in the cemetery must be constructed, erected and fixed in accordance with BS8415 and the NAMM or BRAMM standard currently in force.

3. All Stonemasons must be BRAMM or NAMM registered.
4. All gravestones, monuments and memorials must be of stone, marble or granite. Enclosures, erections and inscriptions are to be subject to the approval of the Council.
5. The stonemason's name and the cemetery plan reference and number of the grave must be cut in the memorial on the back of the headstone, close to the base of each memorial which must be visible after it is placed on the grave. These details must be clearly cut and painted in letters and numerals not exceeding 1" in height and an anchor symbol where a ground anchor has been fitted. This includes memorials that are removed for a second inscription or refurbishment.
6. The Burial Authority reserves the right to remove any unauthorised memorials.
7. While carrying out work within the Cemetery all approved contractors must ensure they:
 - a) report to the office building on arrival at the Cemetery and sign the visitor's book.
 - b) take all necessary precautions to protect the grass, trees, plants, walls, paths and adjacent memorials from damage. Any damage caused must be made good at the approved contractors expense; and
 - c) completely remove all materials, tools and rubbish from the Cemetery when work is not in progress.
8. **Glass shades containing artificial flowers, jam jars, milk bottles or similar jars or bottles or receptacles must not be allowed upon graves and the Council reserves the right to remove such shades, jars, bottles or other receptacles from graves together with any dead vegetation etc.**
9. Wind chimes are not allowed on graves or anywhere in the cemetery.
10. Lanterns, solar lights, fairy lights, or any other form of decorative lighting are not permitted on graves or anywhere within the cemetery. The Burial Authority reserves the right to remove any such items without notice
11. No grave space can have a memorial erected thereon unless the exclusive right of burial therein has been purchased.
12. The erection, removal or maintenance of memorials by Memorial Masons must be by prior appointment only.
13. All memorials remain at the sole risk of the owners thereof and the Council is not responsible for any damage or breakage which may occur to the same.

14. It is highly recommended that the owners of memorials obtain insurance including third party insurance.
15. All memorials must be soundly constructed of good material and must be kept in good repair by, or for the owner, and at the expense of the owner. pattern
16. The authority reserves the right to periodically inspect and test memorials for stability and take actions considered appropriate in order to protect public safety. The Burial Authority reserves the right to notify in writing any Grant Holder if 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. If the memorial is felt to be too unsafe, or the grave owner cannot be found, the Burial Authority reserves the right to remove the memorial. After attempts to notify the Grant Holder in writing, and after a period of 60 days the Burial Authority reserves the right to dispose of the memorial without having any liability in respect of its actions.
17. No memorial or part of a memorial shall be removed from a grave without written approval of the Burial Authority. The Burial Authority's approval of a proposed burial shall be considered consent to temporarily remove a memorial from the grave to be opened.

[D] MAINTENANCE OF GRAVE SPACES

1. Wherever an interment has taken place [except in a brick grave] the grave shall forthwith be filled in with earth and the surface of such grave shall be covered with turf.
2. Low level planting only is permitted, flowers, bedding plants or bulbs are recommended. No plant or shrub must project over adjoining grave spaces and any such plants or shrubs planted to enclose a grave space shall not be permitted to grow above the height of 18 inches and the Council reserves the right to remove any plant or shrub.
3. **The Burial Authority reserves the right to remove from any grave space and dispose of flowers, plants, floral tributes or wreaths which have deteriorated or become unsightly.**

[E] MAINTENANCE OF GOOD ORDER

1. Any child under 16 years of age may be refused admission by the Council unless accompanied by a responsible adult and all visitors shall keep to the paved walks and drives as far as practicable, refrain from touching shrubs and flowers and must observe due decorum in all respects.
2. Any vehicle entering the cemetery or Langley Avenue, the cemetery access road, must observe a maximum speed limit of 5 m.p.h. Drivers must keep to the main roadways and park in a way that does not inconvenience visitors or staff.

3. Cycling is prohibited in any part of the cemetery; cyclists should dismount at the gate.
4. Photographers must not take photographs or film within the precincts of the cemetery during funerals except upon the express desire of the relatives concerned.
5. Every person who shall wilfully destroy or injure any building wall or fence belonging to the cemetery or destroy or injure any tree, plant or shrub therein or who shall daub or disfigure any wall thereof or climb over the walls or gates or put any placard therein or on any wall thereof or wilfully destroy injure or deface any monument, tablet, headstone or inscription or do any other wilful damage or who shall play at any game of sport or discharge firearms [save at a military funeral] or wilfully or unlawfully disturb any persons assembled for the purpose of burying any body or who shall commit any nuisance within the cemetery is liable to prosecution.
6. Visitors must not stand, sit or lean on any of the memorials within the cemetery.
7. The Council will not accept responsibility for any tribute removed or otherwise damaged by persons not in the employment of the Council.
8. **Seasonal tributes and holly wreaths still in place during the second week in February will be collected and disposed of by Cemetery staff.**
9. Any person creating a nuisance, or disturbance or interfering with a burial service will be requested to leave the cemetery by a member of the cemetery staff or removed by a person authorised to do so, e.g. a police officer, following notification from the Cemetery office, and will be guilty of an offence.
10. The Council reserves the right of passage over all graves and to have any grave temporarily covered whilst carrying out excavations. Such coverings may comprise of a boxed platform, or similar, onto which excavated soil may be placed prior to a burial in an adjacent grave.

[F] WALL OF REMEMBRANCE

1. The size of wall plaques must be 8” wide by 6” deep by 2” thick square edged all round.
2. Plaques must be made of real, artificial or reconstructed stone.
3. Additional spaces for future use may be purchased provided a blank plaque is supplied for fixing at the same time as the first is purchased.

[G] GARDEN OF REMEMBRANCE

1. No permanent vase may be placed on, or memorial shrub or plant planted in the Urn Burial Garden, except for a plaque set at ground level.
2. Plaques should be set at ground level and their dimensions should be either 6" wide by 4" or 8" wide by 6"

[H] LAWN SECTION

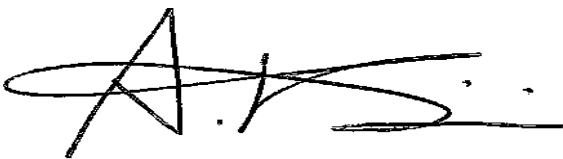
1. A memorial headstone may be erected at the head of the grave, the size of which is to be determined by the Burial Authority and in a position approved by Burial Authority, subject to the payment of the prescribed fee for placing the memorial on the grave.
2. No other part of the grave space must be raised above ground level, and it shall be kept turfed flat all over as a lawn.
3. No memorial or flower receptacle or any other article or plant whatsoever must be placed on or in the turf except as herein provided.
4. The memorial must be of an approved material.
5. The headstone, with or without base, must not exceed 3 feet 6 inches at its maximum height, 2 feet 6 inches at its maximum width, 4 inches at its maximum thickness and 3 inches minimum thickness.
6. Any base above ground level shall be of the same material as the headstone and shall not exceed 5 inches in thickness, 15 inches front to back and 3 feet wide.
7. Provision may be made on the base for the reception of a flower vase or vases.
8. The Stonemason's name, cemetery plan reference and number of the grave must be cut in the memorial in a position visible after it is placed on the grave and must be completed in the same manner as the other inscriptions on the memorial.
9. The grave will be turfed over to its original level as soon as practicable after the burial. Flower tributes will be allowed to remain on the grave for not more than one week after the burial when they will be removed to prevent damage to the turf.
10. Artificial flowers and foliage must not be introduced into the cemetery.
11. The memorial regulations applying to the Lawn Cemetery also apply in their entirety to the Lawn Memorial Garden except that the headstone must not exceed 2 feet at its maximum height and 1 foot 3 inches at its maximum width.
12. No kerb sets is permitted within the lawn cemetery including the lawn memorial garden.

13. The Rules and Regulations of Felixstowe Town Council Cemetery will also apply in the Lawn Cemetery, as far as such Rules and Regulations are not inconsistent with the foregoing Special Regulations nor with any other Rules and Regulations made by the Council applicable only to the Lawn Cemetery.

[I] ADMINISTRATION

1. No gratuities are allowed to be demanded or received by employees.
2. All notices, applications or enquiries under these regulations should be made to Felixstowe Town Council, Town Hall, Felixstowe IP11 2AG.
3. A separate schedule of fees is available on request.
4. The Council reserves the right to alter or vary the foregoing regulations or to deviate therefrom in any particular instance if it shall appear to them desirable to do so.

TOWN CLERK

A handwritten signature in black ink, appearing to be 'A.S.', written over a horizontal line.