

# Cemetery Rules and Regulations

*January 2018*

# Foreword

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**Blaenau Gwent County Borough Council** welcomes all visitors to our cemeteries and request that visitors respect the peace, dignity and reverence of these facilities.

Our cemeteries are communal spaces for quiet reflection and remembering loved ones.

The rules and regulations herein are to ensure that the cemeteries are managed effectively and used in a sensitive and appropriate way to meet the needs of the bereaved and those who visit.

It is therefore essential that Cemetery rules and regulations are in place to maintain the dignity and sanctity of our cemeteries, as well as to inform cemetery users of the reasonable requirements applicable to them.

The Cemetery Regulations include the statutory requirements contained within the Local Government Act 2000 and the Local Authorities Cemeteries Order (LACO) 1977 and any other relevant legislation governing this service.

**The cemeteries for which the council are responsible under these regulations are:**

- > Cefn Golau Cemetery
- > Dukestown Cemetery
- > Ebbw Vale Cemetery
- > Cwm Cemetery
- > Brynmawr Cemetery
- > Blaina Cemetery
- > Brynithel Cemetery

Specific location addresses of each cemetery along with cemetery layout maps are available to view at [www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk)

Although these regulations are a requirement for the management of the Cemeteries, every effort has been made to avoid restricting the rights and choices of the individual. Therefore, these rules and regulations have been prepared with a balance between individual rights/information and the need to regulate for safe and maintained grounds. For example, the restrictions on the placement of memorials are based upon these items becoming potential hazards to other visitors and to facilitate the safe use of mowing machines. It is not based upon aesthetic considerations.

**We thank you in advance for your consideration.**

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# Glossary of Terms

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## Glossary of Terms, Definitions and interpretation: -

“The Council” means Blaenau Gwent County Borough Council;

**The Cemetery** means any cemetery being provided and maintained by the council, including those at; Cefn Golau, Dukestown, Ebbw Vale, Cwm, Brynmawr, Blaina and Brynithel.

**Authorised Officer** means any officer of the Council or its appointed representative for the purpose of these regulations;

**Grave Space** means the area allowed for the establishment of a grave and in a position determined by the council;

**Purchased Grave** means a grave in respect of which the council has granted an Exclusive Right of Burial.

**Grave** means a burial place formed in the ground by excavation and without any internal wall of brickwork or stonework or any other artificial lining;

**Traditional Grave** means a grave with a headstone and a kerb set that forms an edging around the grave area;

**Lawn Grave** means a grassed area level with the ground with a small area for the laying of flowers immediately in front of the headstone. An approved memorial is permitted at the head of the grave;

**Brick grave** means a grave, the sides of which have been lined with walls;

**Vaults** means a chamber provided for the reception of human remains or cremated human remains together with access thereto;

## Burial includes: -

- a. the interment of human remains or cremated remains thereof;
- b. the interment of the bodies of stillborn children or the cremated remains thereof;
- c. the placing in a vault of human remains, cremated human remains or the bodies of still born children or the cremated remains thereof;
- d. the interment of exhumed remains or cremated remains thereof

**Exclusive Right of Burial** means the Exclusive Right of Burial in a specific grave and is issued to the owner in the form of “Deed of Grant”.

**Transfer of Burial Rights** means the transferring of the grave ownership from the original owner of the exclusive right of burial to another person or persons.

Cremated remains section provides for the burial of cremated remains only.

**Memorial** means all headstones, vases, surrounds, crosses and any other permitted or approved item. The sizes laid down are inclusive overall measurements and must be contained within the area of the purchased grave.

# Bereavement Services

## Contact Details

The Bereavement Services offices are based at our Neighbourhood Services operational depot at: Central Depot, Barley Field Industrial Estate, Brynmawr, Blaenau Gwent. NP23 4YF Tel: 01495 311556 | Email: [info@blaenau-gwent.gov.uk](mailto:info@blaenau-gwent.gov.uk)

### Bereavement Services Office - Opening Times

Monday - Thursday 8:30am - 4:30pm and Friday 8:30am - 4pm

Bereavement Services are closed on Weekends, Bank Holidays and during Christmas holidays.

**Please Note:** Bereavement Services office staff are available to assist bereaved families, funeral directors and Monumental Masons, however as the offices are based within an operational depot, it is requested that prior notification is given before attendance.

### Cemetery Opening Hours

Vehicular access to cemeteries is available during the following hours 365 days of the year:

British Summer Time (March - Oct) 8:00am - 7:00pm

All other Times (November - February) 8:00am - 4:30pm

There are no restrictions for pedestrian access to all cemeteries.

### Burial/Interment Times

Monday First burial at 12:00pm

Monday - Thursday Last burial at 3:00pm - BST

Last burial at 2:30pm - All other times

Friday Last burial at 2:00pm

Consideration will be given to requests for burials outside of the specified times with an additional charge applicable as detailed in the table of fees and charges.

No burials/interments shall take place on a Sunday, Bank Holiday, Christmas Holiday period or Good Friday except by the consent of the Council whereby it can be shown by the production of a medical certificate that the burial cannot, for public health reasons be delayed.

Notice will be provided to Funeral Directors and advertised via <http://www.blaenau-gwent.gov.uk> relating to when interments can recommence following each bank holiday and Christmas holiday periods.

# Regulations

## 1. General

1.1 **It is an offence for any person to: -**

1.1.1 Wilfully create a disturbance in a Cemetery.

1.1.2 Commit any nuisance in a Cemetery..

1.1.3 Wilfully interfere with any burial-taking place in a Cemetery.

1.1.4 Wilfully interfere with any grave, walled grave or vault, any tombstone or other memorial, any flowers or plants in any such manner.

1.1.5 Play any game or sport in a Cemetery.

1.1.6 Unless authorised by the Council or being an officer of the Council to enter or remain in a Cemetery at any hour when it is closed to the public.

**Penalties:** (Any person who contravenes Para 1.1 shall be liable on summary conviction to a fine not exceeding £100.00, and in the case of a continuing offence to a fine not exceeding £10.00 for each day during which the offence continues after conviction in accordance with Articles 18 and 19 of the Local Authorities Cemeteries Order 1977.

1.2 Relevant authorised officers and staff in the Environment and Regeneration Directorate will enforce the conditions in this document.

1.3 The Director of the Environment and Regeneration Directorate is ultimately responsible for the control of Cemeteries and the enforcement of the Cemetery rules & regulations.

1.4 The traditional layout of the cemeteries over time restricts freedom of movement between the grave spaces. Access for wheelchair users and those with limited mobility is severely restricted or impossible on traditional sections. Lawn sections are accessible with the assistance of others or cemetery staff where they are available to assist cemetery users.

1.5 When a grave is opened for a burial the excavated material may be placed on the adjacent graves. The inconvenience to people visiting these graves is unavoidable but temporary. Staff will place protection boards on the nearby graves to protect adjoining graves.

1.6 Because of limited access there may be a requirement on occasions to permit temporary movement of machinery and equipment over graves to prepare other graves for burial. In such circumstances either protection materials will be used or the ground will be reinstated.

1.7 No person shall advertise any services or advertise for sale any item within the cemetery including boundary walls, fences or gates.

1.8 The Council reserves the right from time to time to revise these regulations.

1.9 Copies of the rules and regulations will be issued with the interment application form and are available to view at [www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk)

## 2. Grant of Burial

- 2.1 Payment of the prescribed fee, a right of exclusive burial in a grave will be granted for a period of ninety-nine years. This right is subject to the conditions set out in these rules.
- 2.2 An Exclusive Rights of Burial can be granted to single or to multiple owner/s (not exceeding 3 in number).
- 2.3 Deceased person's remains cannot be buried or their cremated remains interred or scattered in or over any grave except with the consent of the exclusive right of burial. If the exclusive right of burial cannot be produced the Statutory Declaration Form must be submitted three days prior to the funeral date.
- 2.4 For any opening of a grave subject to the right of exclusive burial, the document must be produced to the Council. If it has been lost or mislaid the person requesting the opening must satisfy the Council that they are the original owner or rightful successor to the owner.
- 2.5 Every transfer of the exclusive right of burial shall be made and registered by the Council and no other transfer will be recognised by the Council.
- 2.6 Applications for interment must be paid in full and be submitted to the Bereavement Services authorised officer at least three full working days before interment.
- 2.6.1 Responsibility for the full completion of the application lies with the Funeral Director and family of the deceased.
- 2.7 A copy of the Cemetery Rules will be issued with the interment application form. Authorisation of the interment is subject to the acceptance of the cemetery rules by the exclusive rights of burial.
- 2.8 All fees must be pre-paid whereon a permit will be granted. The current table of fees are available to view at [www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk) or can be inspected at The Bereavement Services Office by members of the public during the office hours provided herein.
- 2.9 The Council will not be responsible for any misunderstandings arising as a result of telephone instructions therefore all requests must be confirmed in writing.
- 2.10 The Exclusive Right of Burial does not constitute any ownership of land. It is purely the right to have a burial in a selected grave space in a particular cemetery.
- 2.11 Where the current holder of the Exclusive Right of Burial is alive and wishes to transfer ownership to another person(s), an Assignment of Right of Burial form must be completed. This document is available at [www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk) or by contacting Bereavement Services on 01495 311556 / [info@blaenau-gwent.gov.uk](mailto:info@blaenau-gwent.gov.uk)
- 2.12 Where the registered holder of the Exclusive Rights of Burial is deceased, the transfer of ownership of a grave will require the completion of a Statutory Declaration, which must be witnessed by a solicitor or a Commissioner for oaths. Other documentation may be required to be submitted to the authorised officer may include:
  - > A Will and Death Certificate;
  - > Letters of Administration
  - > Deed of Grant of Probate
  - > Any other relevant documents relevant to the Transfer of burial rights

### 3. Burials

- 3.1 On the granting of a right of exclusive burial for a new grave the Council will permit burial(s) under terms prescribed in the Local Authorities (Cemeteries) Order 1977 (LACO 1977).
- 3.2 Grave depth shall be in accordance with standards laid down in the Local Authorities Cemetery Order 1977 and any other related subordinate legislation. The councils stipulated grave depth and subsequent burial fees and charges are for the burial to a maximum depth for the burial of two deceased persons remains. Where historic burials were made to a depth of 3 deceased persons remains the council will only permit the 3rd burial upon investigating information from cemetery records and undertaking a depth test to ensure sufficient depth to ground level is available, in accordance with LACO 1977.
- 3.3 The allocation of a grave space in all cases shall be subject to the approval of the Council which is 7ft (2133mm) x 3ft (914mm).
  - 3.3.1 Should a request be made for an interment that exceeds the allocated grave space then an additional charge may be applicable for the adjoining grave space.
- 3.4 The council does not permit the pre purchase of the exclusive right of burial.
- 3.5 The council will, wherever possible, specify any restrictions on the grave space of which it is aware at the time of purchase.
- 3.6 The Funeral Director must arrange with a Monumental Mason who is BRAMM registered for the safe removal and storage of any memorial placed on the grave space prior to excavation for a subsequent interment in order to comply with Health and Safety requirements.
- 3.7 The time stipulated for a funeral shall be that at which the procession is to arrive at the cemetery.
- 3.8 All graves and vaults shall be excavated, opened and filled by the authorised staff. Indication must be given on the Application of Interment of the number of interments required within the grave.
- 3.9 No body shall be received for interment except in a properly made and secured coffin. Cremated remains must be interred in an approved receptacle. The coffin/receptacle must bear a nameplate or other suitable form of identification, which must contain the name of the deceased. The nameplate will be observed by an appropriate member of the cemetery staff prior to the interment.

- 3.10 It is the responsibility of the Funeral Director or other person conducting the funeral to ensure that enough people are available to transfer the coffin to the graveside and for lowering into the grave space. The Council shall not take any responsibility what so ever for this process.
- 3.11 The council has abolished all burial related fees and charges for children under 18 years. Future and additional interments for adults over 18years will incur the relevant charges.
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## 4. Memorials/Surrounds etc

- 4.1 The construction of earth or turf mounds over a grave is not permitted.
- 4.2 No memorial is to be erected on any new grave for a period of six months after the first burial or if the ground has still not subsided such longer period as may be necessary.
- 4.3 Second interments a period of three months ground settlement is required before a monument can be positioned.
- 4.4 Cremated remains grave headstones can be erected within a calendar month of interment if required.
- 4.5 No memorial/surround is to be erected on any grave without first: -
- 4.5.1 agreeing with the Environment and Regeneration Directorate that all the Cemetery Rules have been complied with, and then;
- 4.5.2 obtaining a permit from the Council, upon payment of the prescribed fee, and such permit and receipt must be produced to the Sexton before the memorial is erected. **NB:** If separate applications are received e.g. for a headstone and later a surround each application is treated separately and the relevant fee must be paid.
- 4.6 Prior to the erection of any memorial or the placing of any additional inscription on an existing memorial, the authorised officer must approve an application duly signed by the holder of the right to construct and maintain a memorial and submitted by the Monumental Mason who must be a member of the British Register of Accredited Memorial Masons (BRAMM). The application must indicate the dimensions, material to be used and all inscriptions, designs and artwork or colours to be put thereon. The memorial must be installed to British Standard 8415 or any other industry standard, which subsequently supports the British Standard.
- 4.7 Dimensions of memorials shall be no greater than:
- Traditional Lawn Sections**
- > Maximum dimension should not exceed grave space - 7ft x 3ft / 2130mm x 910mm
  - > Height should not exceed 34 inches / 863mm from Ground level (base + headstone)
  - > Width should not exceed 36 inches / 914mm
  - > Depth should not exceed 4 inches / 102mm
- Cremated Remains Sections**
- > Height should not exceed 30 inches / 762mm from Ground Level (base + headstone)
  - > Width should not exceed 23 inches / 584mm
  - > Depth should not exceed 3 inches / 76mm

- 4.8 The word “memorial” includes all headstones, vases tombstones, surrounds, crosses and any other permitted or approved item. The sizes laid down are inclusive overall measurements and must be contained ~~within the area of the grave~~ purchased.
- 4.9 Memorials shall be constructed in an approved material and placed in a uniform manner and in line with adjoining memorials.
- 4.10 The inscription (and any additional inscription) is to be approved by the Council. Any inscriptions must not offend good taste.
- 4.11 Any memorial erected (or the inscription thereon) without the permission of the Council will be deemed unauthorised and may immediately be removed by the Council at the expense of the person to whose order the memorial or inscription was placed.
- 4.12 No memorial can be erected where the exclusive right of burial has not been purchased. Proof of purchase must be submitted with any application for a permit to erect a memorial.
- 4.13 Every memorial must bear the section, row and number of the grave over which it is to be erected; in addition, an asterisk should be clearly cut upon the memorial to indicate that NAMM fixings have been used. These will be cut clearly on the back at the expense of the person erecting the same. The Council does not undertake to maintain such memorial and this maintenance remains the responsibility of the owner.
- 4.14 If any additional memorial is required at a later date it must comply with these rules and will be dealt with as a separate application.
- 4.15 The Council will not accept responsibility for the safety of any memorial erected in any Cemetery and are not responsible for any loss or damage to a memorial.
- 4.16 No memorials, or parts thereof, shall be left at any unauthorised location within any Cemetery and should this occur the Council reserves the right to remove them and dispose of them as appropriate.
- 4.17 All memorials will be subject to a safety inspection by the Council in line with approved procedures. Where a memorial fails the test attempts will be made to contact the owner of the grave to carry out remedial works. If the owner cannot be contacted a notice will be placed on the grave and if no contact from the owner is made within twenty-eight days of placing the notice the memorial will be rendered safe eg taken down and laid within the confines of the grave.
- 4.18 The Council will immediately, without prior notice given to the holder of the Exclusive Right of Burial make safe any unstable or unsafe monument that potentially could cause a Health and Safety concern to any person within the Cemetery.

- 4.19 No trees, shrubs, plants or memorials will be permitted on the turfed area except cut flowers, fresh flowered wreaths or artificial displays. Flower vases will only be permitted as part of the memorial construction. If items are placed on the grave space, the Council will not be responsible for any damage caused to them during the course of cemetery operational maintenance, and the council will reserve its right to remove any items that is deemed to be a potential risk or hazard.

**The restriction on the placement of memorials are in place to regulate free and safe access and provide safe and maintained grounds, based on unauthorised items becoming a potential hazard to visitors and staff e.g. trip hazards and flying debris during mowing operations.**

- 4.20 Interments in new cemetery sections identified as being for Lawn Graves only will be strictly managed in accordance with the stipulations of a Lawn Grave, where the grave space will be grassed with only a small area for the laying of flowers immediately in front of the headstone. NO other memorials will be permitted on the Grave Space.
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## 5. Memorial Bench Installation

The Council provides a licence scheme to allow for the donation of memorial benches to be installed within cemeteries. The terms and conditions are set out below.

- 5.1 Memorial Benches donated will be permitted via a licence application where licences can be granted for a fixed period of 5years which can be renewed on further application with the Consent of the Council in accordance with paragraph 5.5.
- 5.2 The positioning of benches will be strictly controlled by the council, and only permitted in designated and identified areas with the cemetery. The council reserves the right to refuse an application if the preferred location is unsuitable.
- 5.3 Only approved bench design and manufacture specification will be approved to ensure consistency throughout all council cemeteries. An illustration of the bench type and design will be available to view at [www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk)
- 5.4 The charge for the bench will be the fee stated in the Council's approved table of fees and charges at the time of the application and the License holder will be obliged to observe all other conditions contained in the licence agreement. The current table of fees are available to view at [www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk) or can be inspected at the Bereavement Services Office by members of the public during the office hours provided herein.
- 5.5 At the end of the licence period the council will attempt to contact the licence holder and offer to extend the period by a further 5 years at the fee stated in the council's approved table of fees and charges. At the end of the licence period, and where it is not possible to contact the licence holder to offer to extend the period or where the licence holder chooses not to renew the licence, the Council will remove the memorial plaque and where possible return it to the licence holder.
- 5.6 Once the seat has been installed it becomes the property of the Council, who takes liability and responsibility for all maintenance requirements. No maintenance of any kind should be undertaken by the licence holder the donator of the bench, their family or any representative or other persons.
- 5.7 The Council has no commitment to accept any application for a donated memorial bench and hopes that applicants will understand that the number and style of bench is a major consideration to ensure a cemetery remains a place for peaceful reflection, looking attractive and uncluttered.
- 5.8 The applicable lease charge will be inclusive of the provision and installation of a bench, plaque and any work necessary to provide a suitable base together with the maintenance and inspection of the bench for the period of the lease.

5.9 All fees must be pre-paid whereon a licence will be issued. The order for the bench and associated works will only be placed once payment has been made. The process from application confirmation date to completion of installation may take up to twenty weeks.

**These regulations replace all previous regulations affecting the general management, regulations and control of the cemetery and should be read in conjunction with the regulations set out in the Local Authorities Cemeteries Order 1977 or any amendment or re-enactment and bylaws made under the said Order shall be considered incorporated herewith.**

The Council reserves the right from time to time to revise these regulations.



**If you would like to comment on the content  
of this publication please send your views to:**

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Brynmawr, Blaenau Gwent.  
NP23 4YF

**Tel:** 01495 311556

**Web:** [www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk)

*\* This booklet is also available in welsh on request*