



Serving Durrington and Larkhill

## Durrington Cemetery Rules and Regulations 2023

REGULATION REVIEW	Annually reviewed May 2023 and Jan 2026
signed	(Having been approved)
Minute reference	
Date ratified	26th March 2022
Date of next review	Jan 2027

### 1. Introduction

Durrington cemetery is managed in accordance with the Local Authorities' Cemeteries Order 1977 under which burial authorities are responsible for maintaining statutory burial registers and grave plans, establishing rules and regulations relating to the management of the cemetery and the memorials permitted with them and setting fees for burials and memorials. The regulations include the statutory requirements contained within the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977 together with any other relevant legislation that governs this service. Durrington Town Council reserves the right to make alterations or additions to these Rules and Regulations and their Fees and Charges.

## **2. Contact**

All enquiries to: -

Durrington Town Council,  
Village Hall,  
High Street,  
Durrington,  
Salisbury,  
Wilts,  
SP4 8AD.

Tel 01980 654772, email: [clerk@durringtontowncouncil.gov.uk](mailto:clerk@durringtontowncouncil.gov.uk)

Office opening hours are Tuesday – Friday 10am till 12 noon

## **3. Visiting the cemetery**

The cemetery is open all year round; parking is in the cemetery car park opposite the cemetery gates. There is no vehicle access to the cemetery for visitors. Visitors must behave with dignity and respect whilst visiting the cemetery. Where possible visitors shall keep to the gravel pathways except when directly approaching the grave they are visiting. Visitors must take care when crossing or entering grassed areas particularly in between grave spaces, special care should be taken when entering areas of uneven or sloping ground especially in wet or icy conditions. Extra care should be taken when crossing the road between the car park and the cemetery. Children must always be supervised by an adult; they must not play or climb near memorials. All litter must be placed within the bins provided.

The Town Council ensures that the cemetery is maintained throughout the year, it is also inspected by the Commonwealth War Graves Commission. Cemetery employees monitor all areas and can remove any unauthorised items, without notice, that inhibit maintenance, or are deemed dangerous for employees and visitors. The Town Council Office should be notified of any hazards found within the cemetery. Following an interment, wreaths and floral tributes will be removed from the grave once they have become unsightly or following a request by the bereaved. The Town Council Office must be notified as soon as possible if any items are to be retained.

## **4. Cemetery records**

The clerk maintains records of all burials undertaken within the cemetery. Any person who wishes to inspect these grave registers must first make an appointment to do so. As soon as is reasonably practicable all details relating to a burial are recorded by the Council. Grave Deeds relating to newly purchased graves are sent direct to the purchaser of the exclusive rights of burial.

## 5. Burials

- 5.1** Interments can take place Monday to Friday between the hours of 9.00am and 5.00pm. There will be no interments on Christmas Day, Boxing Day, Good Friday, or Bank holidays.
- 5.2** At least 48 hours' notice is required for any interment, exclusive of Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday or a Bank holiday.
- 5.3** All notices of interment must be delivered to Durrington Town Council, on the form supplied by the Council at least two working days (48 hours) prior to the time the burial is due to take place, when this form has been accepted no alterations will be permitted. It is therefore important that this form is completed clearly and checked by the applicant before signing as the Council will not be responsible for any misunderstandings which may arise as a result of any telephone instructions. No funeral can take place without a Certificate for Disposal or the Coroners Order for burial, failure to provide this will result in a delay of the burial until the certificate can be produced. Any additional expense incurred by the Council as a result of incorrect or missing information/paperwork will be charged to the person making the application.
- 5.4** A burial can take place with or without a religious service. It is the responsibility of the funeral director or bereaved family to arrange for a Minister or other persons authorised to officiate at the burial. The allocation of a new grave space is managed by the Clerk, burials will only be allowed in designated areas previously laid out for burials. All coffins/caskets will be made of perishable materials no metal type coffins/caskets will be allowed. The number of burials that can be accommodated in a grave space is dependent on a number of factors including the ground conditions at the time the grave is excavated. However, Durrington Town Council will try to accommodate your request if we can do so safely and in accordance with legislation.
- 5.5** The time stated for a funeral must be punctually observed to prevent inconvenience for other services, therefore any funeral arriving before the time appointed may have to wait until the time arranged. Any funeral arriving after the appointed time must act under the direction of the Council representative as to when the burial may proceed.
- 5.6** Vehicles accompanying funerals will be admitted into the Cemetery along the main drive.
- 5.7** If it is anticipated that a large number of persons may be expected to assemble at any one burial, this must be reported to the council office the day before the proposed burial in order for arrangements to be made accordingly.

- 5.8** In all cases of military or public funerals the management of the Cemetery will be at the discretion of the Clerk
- 5.9** No bands, music or persons carrying banners will be allowed in the Cemetery except at a military funeral or by special consent of the Clerk.
- 5.10** A certificate of cremation must be produced before the interment. Cremated remains are usually interred in graves. Spaces are set aside for the purpose of the interment of cremated remains in a bio-degradable container. The number of cremated remains that can be interred in these graves is dependent upon the size of casket used but will not usually exceed two sets.
- 5.11** If cremated remains are already buried in the grave space before any further interments can take place it may be necessary to obtain an exhumation licence to move the remains before the burial can proceed. The Clerk can advise whether this is necessary at the time a booking or enquiry is made.
- 5.12** Burial excavation procedures - When you arrive at the cemetery for a burial the grave will already be excavated by your funeral director. All graves must be back filled after the burial and made good. On completion the soil will be mounded, and any floral tributes are to be placed on top of the soil. Please be aware that at some point in the future other graves within the section will need to be excavated. All work in the re-opening of a vault (other than the removal of the soil) must be done by and at the cost of the owner and, subject to the Rules and Regulations for the time being of the Council, with regard to the Cemetery and the owner and/or funeral director/stonemason will be held responsible for any injury which may be done during the progress of the work to any adjacent vault or grave or to any tomb or monument or memorial stone.
- 5.13** Grave reinstatement - In the weeks following a burial the soil will compress and the mound will reduce. Small shrubs are permitted to be planted on a grave space provided the owner and or nearest relatives maintain the grave in the event that the shrub becomes unkempt and/or overgrown the council reserves the right to remove them.
- 5.14** Fees and charges - A table of fees is available upon request. The Council reserves the right to revise these fees and charges.

## **6. Graves**

- 6.1** Purchasing a private grave space - You can purchase burial rights at the time an interment takes place or in advance of an interment to reserve a grave space for use in the future. When a grave is 'purchased' this

refers to the purchase of the exclusive right of burial in the grave space and not the purchase of the land itself. This means that you do not own the land but have the exclusive right to say who can be buried in the grave. In accordance with The Local Authorities Cemeteries Order 1977 all burial rights are issued for a fixed period. Durrington Town Council currently issues them for a period of 75 years, from the date of issue, and you have the option to renew the rights at the end of this period. When you purchase burial rights, you are issued with a Grant of Exclusive Right of Burial with details of the grave number and its location. The number of burials intended for the plot must be given to the council at the time of purchase and then again confirmed at the time of the first burial in the plot so that the burial records are correct.

- 6.2** Opening of a purchased grave - Only the grave owner of the exclusive rights of burial can authorise the re-opening of the grave space by signing the interment form. If the owner is to be interred in the grave space the authority must be signed by the next of kin, the person who will prove the will, or such person as may be approved by the Clerk. If the registered owner is not available e.g., abroad, and cannot be contacted the grave cannot be reopened. If the owner is deceased, it will be necessary to officially transfer the ownership prior to the requested opening of the grave and this can be done by contacting the Clerk.
- 6.3** Temporary grave markers - The council will provide (if required) at each funeral a basic temporary grave position marker showing the grave number only. In the case of a purchased grave space this marker will remain in position until the right to erect a memorial stone is applied for and installed or the right to place your own temporary marker on the grave for a 12-month period is applied for and obtained. No other item must be placed upon the grave space. These include plastic/wooden fencing, windmills, and glass vases etc.
- 6.4** Vaults/brick graves - No brick graves or vaults will be allowed to be constructed.
- 6.5** Up-keep of private grave spaces - All purchased grave spaces must be maintained to an acceptable standard by the grave owner. The Council reserves the right to take over the maintenance without notice to the grave owner, of any grave space that has not been suitably maintained by the grave owner. To avoid accidents and to retain a well-maintained appearance damaged/broken/discharged items found on all burial areas will be removed and disposed of. Flowers and Tributes placed after an interment will be removed by the groundsman after a minimum of 14 days. Wreaths made of natural materials will be disposed of when they have decayed save for Christmas Wreaths which shall be removed by the groundsman during the second week of February.

The following items are not permitted on graves: -

- Fragile items made from glass or ceramic,
- Solar lights or wind chimes,
- Perishable items such as cans, bottles of food or drink,
- Large spreading plants.

All items placed on graves are left at the owner's own risk.

**6.6** Transfer of right of burial - The transfer of a Grant of Exclusive Right of Burial is a legal process and whilst there are set procedures to follow each transfer must be looked at individually.

In the following circumstances a transfer of the Ownership of the Exclusive Right of Burial will be required:

An application is made for a burial in the grave, but the Registered Owner is already deceased;

An application is made for a memorial to be erected on the grave, but the Registered Owner is deceased;

The existing memorial is to be replaced, renovated, or cleaned, but the Registered Owner is deceased;

The Registered Owner has died, and a new Owner would like to be registered.

If you wish to transfer the rights of burial to a grave then the Clerk can assist with this procedure and provide advice on the documentation required, and the fees payable at the time.

**6.7** Permission for scattering Ashes on a Grave will be granted only to the Owner of the Exclusive Right of Burial for that Grave. The Ashes can be scattered only on the grave area and nowhere else in the cemetery. An appointment is made through the Council Office for the scattering at which a member of staff will oversee the procedure. There will be a charge for this service.

**6.8** In exceptional circumstances the owner of a grant of exclusive right of burial, may sell the said right back to the council, for the sum originally paid for the exclusive right of burial. Each request will be considered on its own merits.

## **7      Exhumations**

Exhumations are generally rare and can occur for a number of reasons, including moving the deceased to a family plot or for repatriation overseas to be buried along with other family members. It is an offence to carry out an exhumation, including that of cremated remains, without first obtaining the necessary lawful permissions. We can provide help and advice on the licences and permissions required to carry out an exhumation from a grave within a cemetery administered by this authority. We will ensure that exhumations are undertaken with decency and respect; sensitive to the needs of other cemetery users. If the conditions of the licence cannot be met, or there are public health or decency concerns, the exhumation will not proceed.

## **8      Cemetery Maintenance**

- 8.1** Maintenance is carried out throughout the cemeteries. Taps, and facilities to dispose of litter are provided at various locations throughout the cemetery grounds for your convenience. Grass cutting is usually undertaken between March and October; however, spells of heavy rain can delay grass cutting and increase growth rates, often at the times, such as early summer, when the growth is at its fastest. Lawn mowers and strimmer's are used throughout the cemetery, the council keeps the cemetery in good order by using machinery. Any memorials, kerb stones or other stonework are placed in the cemetery at the owner's risk and the council does not accept any liability for any damage to memorials which may be caused by its cemetery groundsman operating appropriate garden machinery.
  
- 8.2** Behaviour in cemeteries - All visitors to the cemetery must behave in a respectful manner and must not interfere with any burial taking place. Any person, who damages, defaces, or destroys any property or causes any nuisance within the cemeteries will be liable to prosecution. No demonstration of any kind shall be allowed within the cemeteries or any religious service other than the service at the time of interment, without prior consent of the Council.
  
- 8.3** Dogs - Dogs must be kept on a lead at all times whilst in the cemeteries and owners are required to be considerate of the bereaved and other cemetery users and clean up after their dog (including faecal matter).

## **9.      Cemetery Memorials**

- 9.1** Memorials can only be placed on purchased graves. To place a memorial on grave the owner of the Exclusive Right of Burial must obtain permission from the council. In most cases the stonemason supplying the memorial will provide you with the necessary application form and submit the application on your behalf. Purchase of an Exclusive Right of

Burial / application for the erection of a memorial will not be permitted or accepted where an interment of an unrelated individual has already taken place in the grave space applied for. The Council's decision in relation to such matters, including whether or not an individual is treated as 'related' for the purposes of these Regulations will be final.

- 9.2** If a grave is to be re-opened for further burials it is the responsibility of the owner of the burial rights to arrange for the memorial to be removed so that the grave can be excavated. Your appointed Funeral Director will usually arrange this on your behalf.
- 9.3** Only Stonemasons who have registered with the council and provided proof of their Public Liability Insurance are permitted to work within the cemeteries. The Mason will provide all tools and materials required for the erection of a memorial. After work on the erection of a memorial has commenced it must be continued during working hours until completion. All equipment and materials must be removed during weekends and Public Holidays. Memorials must not be fixed in unsuitable weather or whilst the ground is in an unfit state, the opinion of the Clerk in these respects being conclusive. With the consent of the owner, the mason may cut his name on the memorial but not his address or any other particulars.
- 9.4** Hewing and dressing of stoneware will not be permitted in the Cemetery except for inscriptions on an existing memorial, and all materials for memorials shall be conveyed into the Cemetery in a manner approved and directed by the Clerk.
- 9.5** All memorials are the sole responsibility of the owner of the Exclusive Right of Burial they are responsible for ensuring that the memorial is kept in a good, safe condition and the Council cannot accept any liability for repairing damaged or fallen memorials or be responsible for any damage/theft or vandalism or any other circumstances beyond the control of the Council. The Council strongly recommends all grave owners obtain an appropriate insurance to protect the memorial from unforeseen circumstances. The Council will periodically inspect the safety of memorials. Any memorial classified as unsafe will be reported to the grave owner in order for them to arrange immediate repair, it is therefore important that contact details are kept up to date, and the Clerk must be informed of any change of address.

- 9.6** The Council reserves the right to:

Lay flat or make safe any memorial headstone that has been identified as unsafe.

Remove any unauthorised memorial from a grave this includes benches and paving slabs.

Remove any memorial, which they deem objectionable or of unauthorised type or size.

- 9.7** No memorial shall be removed from the Cemetery without the permission of the grave owner and without the consent of the Council. Memorials and any associated stretcher or foundation stones removed for any interment must be taken away from the cemetery.
- 9.8** The fees payable to the Council for the right to erect a monument and to place inscriptions are set out in the current table of fees and charges which is available on request.
- 9.9** Only approved memorials will be permitted to be erected. The position of memorials will be subject to the approval of the Clerk.
- 9.10** Size and construction of memorials - Memorials and headstones can be made of natural granite, marble, sandstone, slate, limestone, or other materials as approved by the Clerk. The council reserves the right to refuse permission for a memorial to be placed in any cemetery when the inscription, type or colour of materials used is out of character with the surrounding setting or is deemed inappropriate or offensive by the council.

## **10      Memorial Shelter**

The cemetery has a memorial shelter containing bronze plaques that can be purchased through the Town Council should a traditional memorial stone on the grave or ashes plot not be required. All plaques are sourced via the same supplier to ensure continuity in design. Any applications for plaques should be made to the Town Council Office with the inscription required. Once sourced the cost will then be passed on to the purchaser for payment, the Town Council will install the plaque at the shelter once it arrives, notifying the purchaser that this has taken place.