

Cemetery regulations

Governing:

Bury Cemetery, St Peter's Road, Bury
Radcliffe Cemetery, Cemetery Road, Radcliffe
Ramsbottom Cemetery, Cemetery Road, Ramsbottom

Regulations made by the Council of the Metropolitan Borough of Bury pursuant to Article 3 of the Local Authorities Cemeteries Order 1977 for the proper management, regulation and control of the cemeteries in the area of the Borough.

1.0 Interpretation (OF TERMS)

1.1 In these regulations, unless the context otherwise requires - "burial" includes:

(a) The interment of human remains or cremated human remains

(b) The interment of bodies of stillborn children or of the cremated remains thereof: and

(c) The placing in a vault of human remains cremated human remains, or the bodies of stillborn children or the cremated remains thereof:

1.2 "the Council" means the Council of the Metropolitan Borough of Bury.

1.3 "the cemeteries" means the cemeteries provided and maintained by the Council at St Peter's Road, Bury; Cemetery Road, Radcliffe and Cemetery Road, Ramsbottom.

1.4 "gardening of graves" means the creation of an area on the grave with a defined boundary and contains small memorials, plants, flowers and associated containers.

1.5 "private grave" means a grave space the exclusive right of burial wherein has been granted by the Council.

1.6 "public grave" means a grave space in which such exclusive right of burial has not been granted.

1.7 "memorial" includes any gravestone, tomb, cross, flatstone, headstone or other form of monument.

1.8 "the Registrar" means the person for the time being holding the office of Registrar of the Cemeteries under the

Council and shall be deemed to include any person whom he/she authorises to discharge his/her functions.

1.9 "resident" means a person who at time of death was a resident or ratepayer of the Metropolitan Borough of Bury.

1.10 An act:

(a) necessary for the proper execution of his duty by:

- (i) an officer or agent of the Council; or
- (ii) any person or servant of any person employed by the Council; or
- (iii) any police officer; or

(b) authorised by the Council or otherwise undertaken with lawful authority; shall not be a contravention of the Regulation (see 17(2)).

2.0 Registrars Office

Cemetery Office is situated at:

Bury Cemetery, St Peter's Road, Bury BL9 9RL
Tel: 0161 253 6510 Fax:0161 253 5532
Email: customercontactteam@bury.gov.uk

The office is open from 8am to 3.30pm Monday to Thursday and 8am to 1pm on Fridays. The office will not be open Saturday, Sunday or Public Holidays. The office may be closed whenever staff are attending funerals at other cemeteries.

3.0 Admission to the Public

3.1 The Cemeteries shall be open to the public on foot at any time and may be open to private vehicles as the Council may specify from time to time.

3.2 Vehicular access to the cemetery via St Peter's Road:
Opening time (all year) 8.00 am
Closing time dusk

The Gigg Lane Gates are only opened during a funeral.

- 3.3 All persons visiting the cemeteries shall keep on the paths and walks except when visiting a grave and shall refrain from injuring shrubs or flowers and shall observe perfect decorum in all respects and at all times.
- 3.4 No person shall ride on a bicycle, roller-skates, skateboard or other mechanical devices within the cemeteries except as permitted by the Council.
- 3.5 No person shall permit a dog to be in any of the cemeteries except on a leash and any person other than a registered blind person in charge of a dog must remove from any area in the cemetery any faeces deposited by the dog.
- 3.6 No person shall cause or permit any vehicle to proceed within the cemeteries:
- (a) Other than for the purpose of attending at interments and visiting graves, except as provided in Regulation 19.14.
 - (b) Other than along the carriage roads within the cemeteries.
 - (c) At a speed greater than 5 miles per hour.
- 3.7 No person shall cause or permit a horse or other animal to be in the cemeteries except with the consent of the Council.

4.0 Plans of the Cemeteries

A plan of each cemetery showing the numbers and situations of the grave spaces shall be kept at the office of Bury Cemetery and may be seen without charge whenever that office is open.

5.0 Hours of Interments

- 5.1 Interments shall be permitted between the hours of 9am and 3pm on Mondays to Thursdays (except during winter when the latest time changes to 2.30pm). On Fridays, the

permitted hours are 9am to 12pm all year. The Winter period is from the 1 November to the 31 March.

- 5.2 On Saturday interment between 9am and 2.30pm subject to religious practise and staff availability.
- 5.3 For those funerals where the cemetery chapel is required the last interment must be ½ hour earlier than the last permitted time.
- 5.4 No interments shall be allowed on Saturdays, Sundays or Bank Holidays unless expressly provided for by the Council.
- 5.5 An additional fee may be charged for all funerals arriving at the gates of the cemeteries after the time arranged with the Registrar.
- 5.6 Additional charge will apply for interment of a non-resident.

6.0 Notice of Interments

In the first instance, notice of intention to inter shall be telephoned to the Bury Cemetery Office following which; at least two clear working days' notice of intention to inter shall be given on the form available at the cemetery office. Unless telephoned, instructions or requests are confirmed in writing or fax, the Council cannot be held responsible for any misunderstanding.

7.0 Application for Burial

- 7.1 On every application for a burial, the applicant shall deliver to the Council a certificate signed by the person responsible for the burial, on the form available at the Cemetery Office. This notice must be received at least 24 hours prior to interment.
- 7.2 The Council shall be entitled to rely on such certificate as sufficient evidence of the facts certified or may make such further enquiries they shall think fit, and their directions as to the portion of the burial ground in which the deceased person is to be buried shall be final and conclusive and no

grave shall be opened or made except by or under the direction of the Council.

7.3 When it is intended to use the chapel at the cemetery for the burial service, notice must be given to the Registrar at the time the application is made for burial. Except by special arrangement no funeral party shall occupy the cemetery chapel for longer than 30 minutes.

7.4 When a notice of an interment has been given, any alteration of arrangements will only be permitted at the discretion of the Council providing payment is made in respect of any work that may have already been executed, any other expenses which may have or may be incurred.

8.0 Private Graves

8.1 On the purchase of an exclusive right of burial in a grave space a deed of grant will be issued to the person by whom the exclusive right of burial is purchased and such person will be registered by the Council. The grant is issued for a period of 99 years. Whenever an interment takes place the grant must be produced to the Council.

The selection of any grave space is subject to the approval of the Registrar.

8.2 In the event of the death of the owner of the exclusive right of burial in a grave or vault, the person claiming to be entitled to the exclusive right of burial must produce the grant to the Registrars Office with proof of his or her title to the grave, ie. grant of probate, letters of administration or will. No transfer of the exclusive rights of burial in a grave unless a signed statutory declaration presented and the current fee paid.

8.3 No grave will be opened without the prior production of the grave deeds and the written consent of the owner. Provided always in cases where the deed of grant has been lost or misplaced, the grave will be opened on the application of the owner or any person whom the Registrar may consider entitled thereto, on such person making a statutory declaration and giving an indemnity to the

Council. Forms must be obtained, completed and paid for at the cemetery office.

- 8.4 When a grave is opened for an interment to take place, the soil from this grave will have to be placed on the adjacent graves. The inconvenience to people visiting these graves is unavoidable, but, temporary. Staff will place boards on the nearby graves to protect them and to protect monuments and gardened graves. However, the contractors cannot be held responsible for unavoidable damage to the gardened graves, memorabilia placed on the graves or any sidestones.

9.0 Public Graves

- 9.1 Persons interring in public graves purchase no rights whatsoever excepting that of a single interment and the positions of such graves shall in all cases be determined by the Registrar. No headstone or tablet will be allowed to be placed except with the consent of the Council, on any public grave, and only wooden coffins shall be allowed in public graves.

10.0 Interments - Certificates and Orders for Disposal

- 10.1 The Certificates for Disposal issued by the Registrar of Deaths or, in cases where an inquest has been held, the Coroner's Order for Burial, or a written declaration in the prescribed form by the person procuring the disposal of the body of a deceased person that a Certificate of the Registrar or Order of the Coroner has been issued in respect of the deceased, must be handed to the Registrar at the cemetery before burial takes place. This also applies to stillborn children.

11.0 Fees and Charges

- 11.1 Information regarding fees and charges can be obtained from bury.gov.uk/bereavementservice or the Cemetery Office during normal working hours.
- 11.2 The fees and charges payable to the Council in respect of grave spaces, gravestones and any other matters in

connection with the cemeteries shall be those set forth from time to time and printed separately and settled by the Council.

- 11.3 At the time of delivery of the Certificate of Disposal or Coroner's Order all fees and charges payable to the Council must be paid to the Registrar, whereupon permission for the interment will be granted in the form provided by the Council.
- 11.4 The Council reserves the right to determine the sale of any new grave, in such position as shown on the plans that gives a reasonable sale in consecutive order and no individual shall have rights to demand the purchase of a particular grave other than the right to select the denomination plot in which interment is required.
- 11.5 In all cases, even where the Registrar is satisfied that the owner of the exclusive right of burial in any new grave intends to erect a memorial following the first burial in that grave he shall erect on the grave a marker headstone and the cost of so doing shall be charged to the owner.

12.0 Burial Services

Notwithstanding the consecration of the setting apart for the use of a particular religious denomination of the part of any of the cemeteries in which any burial is to be effected, the burial may take place without any religious service or with such orderly religious service at the grave, conducted by such person or persons, as the person having the charge of or being responsible for the burial may think fit.

13.0 Interment Procedure

Except where specifically authorised to the contrary by the Council, excavations for all graves and vaults shall be carried out by the Council's own workforce or authorised Contractor and shall be excavated only at such depths and be only of such construction as shall have been prescribed by the Council.

All bodies brought for interment must be in a coffin of the traditional type or in a container approved by the Council.

The Council's authorised contractor will attend an interment to deal with any problems that may arise and to backfill the grave afterwards. The Contractor is not required by the Council to assist in the burial and undertakers or other persons carrying out the interment shall provide all necessary persons and equipment to carry out the interment.

The Muslim community may bury their dead in shrouds and/or remove the coffin lid at the graveside if so desired provided that:

(a) The body is conveyed to the graveside in a suitable lidded coffin or container approved by the Council.

(b) The shrouded body should not be visible or removed from the coffin or container until all mourners have assembled around the graveside so as to obscure the body from public view.

(c) Cemetery staff or others employed by the Council shall not be required to come into contact with the body at any time.

(d) The above regulations shall be dispensed with by order of the Council and burials conducted in a sealed coffin or container if the preservation of public health requires it.

All graves are to be prepared in such a way that the body rests on the right side and faces Mecca.

The grave may be constructed with a vault in accordance with details which can be obtained from the Cemetery Office.

14.0 Register of Burials

A register of burials of all cemeteries is kept at Bury Cemetery Office. A search will be made by cemetery staff

on request. A fee may be charged.

15.0 Cemetery Employees

15.1 No person attending any of the cemeteries shall interrupt the Contractor's workmen at their duty or employ them to plant graves or execute any private work whatsoever.

15.2 Cemeteries employees are strictly forbidden to receive gratuities.

16.0 Music and Demonstrations

16.1 No music shall be played in any of the cemeteries save at a military funeral or by special consent of the Registrar, and the Council reserve the right to exclude from any of the cemeteries at any time all persons other than mourners and persons officially connected with any funeral then in progress.

16.2 No demonstration of any kind, save as aforesaid, shall be held within any of the cemeteries without the consent in writing of a duly authorised officer of the Council, and no person or persons by singing or otherwise, shall cause any gathering of people therein. Persons causing such demonstrations or gatherings will be expelled from the cemetery.

17.0 Offences in Cemeteries

17.1 No person shall:

(a) Wilfully create any disturbance in any of the cemeteries.

(b) Commit any nuisance in any of the cemeteries.

(c) Wilfully interfere with any burial taking place in any of the cemeteries.

(d) Wilfully interfere with any grave or vault or any tombstone or other memorial, or any flowers or plants or any such matter.

(e) Or play at any game or sport in any of the cemeteries.

(f) All dogs must be kept on a leash at all times.

17.2 Every person who contravenes Paragraph (1) of this regulation shall be guilty of an offence under Article 18 of the Local Authorities Cemeteries Order 1977 and shall be liable on summary conviction to a fine not exceeding £1000.

18.0 Maintenance of Graves

18.1 The gardening of graves is permitted up to a maximum of 1 metre x 1 metre immediately in front of the headstone and centrally across the grave.

18.2 The planting of graves is the responsibility of the grave owners and the Council will not undertake any work of maintenance other than the maintenance of lawns and grassed areas.

18.3 Kerbstones are allowed on the grave provided a permit has been submitted by a registered stonemason and permission granted.

18.4 The registrar will turf any ground which has become overgrown or unsightly and the decision of the registrar on this matter is final

18.5 Any encroachment of memorials or plants onto an adjoining grave space will be removed on order of the Council.

18.6 Shrubs, plants or flowers, growing within cemeteries, whether on graves or otherwise, must not be cut or pulled by visitors.

18.7 Persons maintaining graves or vaults in any of the cemeteries must dispose of their rubbish in the place provided.

18.8 No receptacle for flowers shall be permitted upon a grave

except of such a character or design as shall have been approved by the Council, and in any case, no glass cover or receptacle shall be placed upon the grave.

- 18.9 All glass covers or receptacles and any other receptacles not approved as aforesaid, shall be liable to be removed without notice by the Council.

19.0 Memorials

- 19.1 All memorials, of whatever description, admitted into the cemetery or permitted to be erected therein shall remain there at the owners sole risk and the Council and the Registrar shall not be held responsible for any damage which might occur to the same other than by the Council" workmen.
- 19.2 It is the responsibility of the grave owner to maintain any memorials put on graves. The health and safety at work act requires a system in place as part of this. All registered masons must hold a public liability insurance.
- 19.3 Memorials must be erected in accordance with the code of practice of the National Association of Memorial Masons. A Monumental Registry Scheme is now in operation for Bury Cemeteries, only registered Masons will be permitted to work in the cemeteries.
- 19.4 Before any headstone is erected in any of the cemeteries, an application must be made to the Cemetery Office. No headstone shall be erected or inscription engraved thereon until the design of headstone and the words of the inscription have been approved by the Council and such approval has been notified by the Registrar to the owner of the grave.

Similarly, no photographs shall be allowed on any headstone until the dimensions and materials used have been approved by the Council. Whilst the owners of graves must employ their own mason, bricklayer, sculptor or engraver, the execution of any work in any of the cemeteries in connection with the erection of headstones must be to the entire satisfaction of the Registrar and the

Council reserves for itself the right to reject any headstone which is inferior in quality or in workmanship.

19.5 The Funeral Director of any such person making arrangements for an interment, shall also make arrangements for the removal and refixing of any large memorial which:

(a) may obstruct the excavation of any grave

(b) in the Council's opinion may endanger the health and safety of
the Council's employees

(c) could contribute to the collapse of a grave

(d) cause the memorial to fracture or break

19.6 Before any wooden or metal cross is erected in any of the cemeteries, an application must be made to the Cemetery Office. No cross shall be erected or inscription engraved thereon until the type of wood or metal used, the design of the cross and the words of the inscription and method of fixing have been approved by the Council and such approval has been notified by the Registrar to the owner of the grave. Whilst the owners of graves must employ their own joiner, the execution of any work in any of the cemeteries in connection with the erection of crosses must be to the entire satisfaction of the Registrar, and the Council reserve for themselves the right to reject any cross which is inferior in quality or in workmanship.

19.7 The Headstone shall be limited to (1200mm) maximum height, measured from surrounding ground. The headstone shall be no less than 75mm or more than 150mm in thickness. No supporting base over 300mm in width will be permitted. All above memorials must have a concrete foundation to be constructed by the mason, if not already provided by the Council. All headstones must be supported by and dowelled into the base. Clamps and fastenings must be used in fixing all headstones. No headstone exceeding 600mm n height above ground level

and 600mm in width will be permitted on the still-born/neo-natal plot. Only flat or wedge style (610mm) x (610mm) maximum will be allowed on cremated remains plot.

19.8 Sidestones and earth mounds will in no case be allowed in any of the cemeteries except as provided for herein:

(a) Jewish Section - Bury Cemetery: The whole of a grave shall be covered with a concrete slab 100mm thick on which is laid the memorial. The memorial may comprise a headstone or stone laid flat or almost flat. No grass or planting will be permitted in the Jewish Section.

(b) Muslim Section - Bury Cemetery: The mounding of a grave in this section to a height of 300mm shall be permitted provided that the mounding is paved or covered in accordance with details which can be obtained from the Cemetery Office.

19.9 Every grave shall be allocated a number by the Registrar and such number must be cut on the memorial, in a position agreed by the Registrar at the expense of the owner, prior to erection.

19.10 The bases of the headstones to all graves shall be affixed so that the same shall be at least 1 inch in the ground, at every point, except for those placed on the concrete bases provided by the Authority. Non-ferrous clamps and fastenings must be used in fixing all headstones.

19.11 No vaults will be permitted except as approved by the Council.

19.12 No artificial stone, artificial headstones or garden tiles will be permitted to be placed upon graves in an cemetery.

19.13 No flat stone will be permitted except:

- (a) In the Jewish Section - Bury Cemetery
- (b) In the areas for interment of cremated remains
- (c) In the stillborn/neo-natal plot

(d) As authorised elsewhere by the Registrar

- 19.14 All headstones and materials must be carried into the cemetery in vehicles or other means of conveyance so as to avoid any damage to the turf. Persons fixing or conveying headstones or materials must act under the direction of the Registrar and to his/her complete satisfaction.
- 19.15 Masons and others must take such steps as are necessary for the protection of the grass and walks during the progress of work in connection with the erection of headstones or other work.
- 19.16 All stones, rubbish, dirt and other materials left after the erection of a headstone must be removed within 24 hours after the completion of the work, otherwise the Council will carry out such removal at the expense of the owner of such headstone.
- 19.17 Workmen employed in the erection, inscription, cleaning or repairing of materials will be allowed to work in a cemetery only during the hours in which the cemetery is open to the public by virtue of Regulation (3.)
- 19.18 Where, in the opinion of the Council, a headstone or memorial causes a hazard or potential hazard to staff or users of the cemetery, then the headstone or memorial shall be made safe and secure by setting it flat in the ground, flush with the turf.
- 19.19 The Registrar has the right to exclude any article or object which may cause offence, or otherwise.
- 19.20 No mason, gardener or other person shall within a cemetery be permitted to tout for or solicit orders, exhibit designs, distribute business cards, ask for or attempt to obtain from any employee directly or indirectly, information as to grave owners; or take measurements of, photograph, or copy any memorial unless the written consent of the owner thereof shall be first produced to the Registrar.

20.0 General

- 20.1 These Regulations are subject to alteration without notification by the Council at any time as may be considered necessary, and all grave spaces sold and memorials erected are subject to these Regulations and any others that may be made from time to time.
- 20.2 An act necessary to the proper execution of his duty in the cemetery by an officer of the Council, or by any person employed by the Council, shall not be deemed an offence against these Regulations.
- 20.3 The Council reserve the right to carry out any work within the cemetery under their control to maintain such grounds or buildings as they feel necessary and only by their permission shall any other persons be allowed to carry out any work within such grounds or buildings.

Bury Cemetery, St Peter's Road, Bury, BL9 9RL

Phone: 0161 253 6510

Email: bereavementservice@bury.gov.uk

Radcliffe Cemetery, Cemetery Road, Radcliffe
Ramsbottom Cemetery, Cemetery Road, Ramsbottom