

# **BROCKENHURST PARISH COUNCIL**

## **CEMETERY REGULATIONS 1st March 2020**

### **1 Introduction**

The following Cemetery Regulations apply to the Cemetery at Church Lane, Brockenhurst for both full burials and the interment of ashes, as well as the installation of memorials.

The Regulations must be observed at all times.

The Council's decision shall be final in all matters relating to the management of the Cemetery.

### **Contact Details**

#### **BROCKENHURST PARISH COUNCIL**

The Parish Council Office

Highwood Road, Brockenhurst SO42 7RY

T: (01590) 622829

W: [www.brockenhurst.gov.uk](http://www.brockenhurst.gov.uk)

E: [clerk@brockenhurst.gov.uk](mailto:clerk@brockenhurst.gov.uk)

### **2 General Regulations**

These Regulations are in addition to the provisions presented in *the Local Authorities Cemeteries Order 1977*.

Appeals against any of these regulations should be made to the Parish Clerk who will take the matter to the Council's Amenities and Infrastructure Committee.

Where specific religious and cultural requirements require burial at short notice we will aim wherever possible to comply with the request within the resources that we have available. It may not be possible for us to comply and therefore alternative arrangements for burial may have to be made by the applicant.

The Council's Cemetery Regulations form the basis for the management and administration of the Cemetery and are designed to ensure a safe and pleasant environment, and to provide information to visitors and Exclusive Right of Burial Holders.

A notice board is situated at the entrance of the Cemetery which displays a short form of these regulations and other information.

In its management of the Cemetery the Council will give consideration to wildlife and vegetation.

#### **2.1 Fees**

A copy of the current Fees and Charges is available from the Council website [www.brockenhurst.gov.uk](http://www.brockenhurst.gov.uk). Details may also be obtained by contacting the Council's Office

during the office opening hours. Voicemail is available at all times. Please see above for contact details.

Fees and Charges for the Cemetery will be determined by the Council annually and will take effect from 1 April each year but are subject to review at any time.

Fees and Charges are payable in advance. The Council does not provide a payment plan service.

## **2.2 Standard Fees and Charges**

The Council's standard fees and charges apply in relation to all the chargeable applications covered by these regulations except where a relevant discount applies as set out in paragraph 2.3 below. Interment and memorial fees for a child under 18 years of age will be applied for by the Parish Council from the Government's Children's Funeral Fund.

## **2.3 Discounted fees and charges**

The following types of application are eligible for a residential discount:

the interment of a person who immediately prior to death was a resident of the Parish; or

the interment of a person who had been a resident but who had relocated directly to live in a care home, whether or not in the Parish, and died resident in that home;

The interment of a person who, at any time, had been a resident of the Parish, was not so resident at the time of death but who had lived in the parish for 30 years. For the avoidance of doubt, two or more periods of residence may be added together.

Proof of residency is required to support an application for a discount, and must be submitted with all Application requests. In cases where proof of residency is unattainable, a Statutory Declaration for Proof of Residency must be completed; otherwise the Standard Fees will be incurred.

## **3 Eligibility for interment**

The right of Interment in the Cemetery is reserved for:

a resident of the Parish;

a former resident of the Parish regardless of length of residence;

a close relative of a person already interred or about to be interred and for this purpose close relative is defined as grandparent, parent, husband/wife/civil partner, child or sibling. Other relations may be considered as close relatives at the discretion of the Council.

Exceptions to this policy will be at the discretion of the Council.

## **4 Management of the Cemetery**

### **4.1 Cemetery Operation**

Cemetery maintenance operations, which include grass cutting, landscape planting management, the upkeep of flower beds and borders and any other routine cemetery grounds work, will be carried out by the Council, at a frequency determined by the Council and subject to weather conditions. Some sections will have the grass left to grow long due to the presence of wild flowers, other unused sections will sometimes be left to grow long. Occasionally, sheep may be introduced to graze the lower unmown section.

Animal interments are not permitted within the Cemetery.

Scattering of ashes is not permitted anywhere in the Cemetery, nor are DIY interments of ashes. Application forms must be completed and all fees paid in advance.

The Cemetery is a Lawn Cemetery. Wall graves, vaults and kerbing are not permitted.

Floral tributes may be placed, and remain in situ temporarily, following an interment. Please be aware that deer enter the Cemetery freely and will eat floral tributes. These tributes will be removed by the grounds-staff if this happens.

The Council will endeavour to reinstate all newly excavated burial plots after an Interment, subject to weather conditions and to the season appropriate for these works being undertaken. The reinstatement of burial plots shall include the levelling and seeding or turfing of the grave surface.

The Council reserves the Right to disconnect the water supply during the winter months to avoid freezing and burst pipes, or when the tap is defective and requires remedial works.

The Council reserves the Right to change the appearance of the Cemetery as part of the Council's routine Cemetery maintenance operations and development schemes.

### **4.2 Burial section**

Lawn Section burial plots, may provide space for a maximum of two burials, at double and single depth, plus up to eight subsequent interments of cremated remains.

### **4.3 Cremated Remains Section**

A cremated remains plot may provide space for up to two interments of cremated remains within caskets or up to four without caskets.

### **4.4 Admission to the Cemetery**

All persons shall conduct themselves in a respectful and orderly manner and are reminded of *Article 18.1, Offences in Cemeteries, of The Local Authorities' Cemetery Order 1977* whereby *No person shall:*

- a) *wilfully create any disturbance in a cemetery;*
- b) *commit any nuisance in a cemetery;*
- c) *wilfully interfere with any burial taking place in a cemetery;*

- d) *wilfully interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants on any such matter; or*
- e) *play at any game or sport in a cemetery.*

All persons contravening any of the above provisions shall be liable to a Penalty.

The Council reserves the Right to temporarily close public access to the Cemetery or any part of a cemetery at any time without notice.

All persons entering the Cemetery do so at their own risk and shall observe any warning notices. The Council shall not be liable (except in respect of personal injury or the death of a person caused by the Council's negligence) for any loss, injury or damage sustained regardless of the form of action, whether in contract, tort (including negligence and breach of statutory duty), strict liability or otherwise.

Cycling is not permitted in the Cemetery.

Dogs are permitted within the Cemetery but must be kept on a lead. Please clean up after your dog, if necessary.

Visitors are requested to deposit litter, spent flowers and other unwanted items in the bins provided.

No person shall interfere with the Council employees in their duties nor seek to employ them to plant graves or execute any private work whatsoever.

All enquiries, complaints and requests by members of the public should be made to the Parish Clerk, contact details above.

## **5 Interment Administration**

Before a burial or interment can take place the Certificate of the Registrar of Deaths, or a Coroner when an inquest has been held, must be provided to the Clerk, or nominated person. The Certificate of Cremation must be provided before an interment of ashes can take place. Completion and submission of a Notice of Interment form and provision of the required certificate and payment in advance is mandatory with all interments.

All fees and charges must be paid at the time of application, prior to the interment taking place, in accordance with the scale of fees. All payments must be made to Brockenhurst Parish Council, preferably electronically, 60-83-01, 20193340.

The Council reserves the right to charge a fee for cancelled or postponed Interments.

The Council reserves the right to reuse any Common Grave for future interment.

### **5.1 Booking an Interment**

A provisional telephone booking must be made through the Parish Clerk prior to the submission of any formal papers and / or payment of fees, to ensure the requested date and time is available.

The Council's Notice of Interment form must be completed in full and signed, by all the Grantees of the Exclusive Right of Burial, if applicable, and, in all cases by the Funeral Director in the case of a burial. Completed forms, together with Certificates for Interment and payment, must be received by the Parish Clerk at least two working days prior to the Interment date.

In all cases the applicant/ERoB grantee must sign the declaration on the Notice of Interment form to agree to a re-opening of a grave for a subsequent interment.

Applications for Interment forms and information are available on the Parish Council website, under Brockenhurst Cemetery. Further advice and assistance on this procedure can be obtained by contacting the Parish Clerk during office hours, or by email.

If additional cremated remains are to be placed inside a coffin this must be declared at the time of the booking for the Burial Interment. A separate Notice of Interment form for each additional cremated remains interment must be completed, the certificate provided and the appropriate fee paid.

## **5.2 Certificates for Interment**

The relevant certificate from the Registrar of Births and Deaths, or the Coroner or Crematorium, must accompany the Notice of Interment. No interment, including family organised interments, will take place unless the completed Application form, fee and Certificate for disposal is received by the Parish Clerk at least two working days prior to the Interment date.

If an interment is to take place in a grave for which the Exclusive Right of Burial has been purchased, the Deed of Grant must be produced as proof of Ownership. If this is mislaid, a Statutory Declaration for a Lost Document and accompanying Agreement must be completed.

## **5.3 Coffins and Caskets**

The exact maximum external coffin or casket sizes must be provided, including the size and type of handles, if applicable. These exact measurements must be declared on the Notice of Interment form. No measurement allowances are permitted.

"American" caskets and coffins are too large for the burial plots and are therefore not accepted. With burial interments, in exceptional circumstances, by prior agreement and only if space allows, coffins needing more than one burial plot space will incur additional cost for the use of two burial plots.

Incorrect measurements are the responsibility of the Funeral Director or the person completing the Notice of Interment form. Inaccurate measurements may cause problems at the time of interment.

Coffin and casket sizes will determine the number of subsequent interments.

## **5.4 Hours of Interment**

Interments may only take place in accordance with these Regulations, subject to availability. Hours of interment will be between the hours of 9am and 3.30pm in summer, and 9am and

3 pm in winter, with no interments taking place on Saturdays, Sundays, Bank Holidays, except in very special circumstances. By prior arrangement and subject to availability, interments may take place on Saturdays; however, additional charges may be incurred.

Hours of Interment are subject to change and are at the discretion of the Council.

## **5.5 Allocation of New Interment Plots**

### **Burial Plots**

Allocation of burial plots is subject to availability and in all cases shall be at the discretion of the Parish Clerk.

If requested at the time of booking the interment, different plots may be available for selection when the next in line plot is not the preferred choice. Burial plots will not be available for selection in areas not currently active.

The Cemetery contains sections which are segregated by Church of England and non-religious denomination. Specific requirements should be notified at time of booking. Requesting a preferred selection will not incur a fee.

### **Cremated Remains Plots**

Allocation of cremated remains plots is subject to availability and in all cases shall be at the discretion of the Parish Clerk.

If requested at the time of booking the interment, new cremated remains plots may be available for selection when the next in line plot is not the preferred choice. Requesting a preferred selection will not incur a fee. Cremated remains plots will not be available for selection in areas not currently active.

## **5.6 Excavation of Interment Plots**

### **Burial plots**

All burial plots shall be prepared and completed by persons contracted or employed by the Funeral Director and must work to current professional standards of the ICCM Code of Safe Working Practice in Cemeteries, with professional indemnity insurance and ICCM COTS or equivalent grave digger qualification. The Council reserves the right to refuse to allow an excavation to be undertaken if they are not satisfied of the competence of the operator.

Where a burial has taken place the grave shall be entirely backfilled and made tidy on the day of the interment and will be continually topped-up with soil until settlement ceases. As soon as practical, the burial plot will be seeded or turfed.

Once the turfing has taken place, the turf shall not be removed except for additional approved interments, exhumations or the placing of authorised memorials. Removal of turf, for reasons other than previously stated, will entitle the Council to take proceedings to recover the cost of replacing the said turf.

With double depth burials, if conditions at the time of the first interment prevent the deeper grave, alternative arrangements may be required. An alternative, more suitable, burial plot may be available.

### **Cremated Remains Plots**

Unless otherwise stated at the time of booking the interment, all new cremated remains plots shall be excavated at double depth, subject to the casket size, allowing for two cremated remains interments, or four without caskets.

To ensure the optimum number of cremated remains interments, casket dimensions should not exceed 9 inches (230mm) in height, 12 inches (300mm) in length and 10 inches (250mm) in width.

All cremated remains plots are prepared by employees of the Council, unless exceptional circumstances pertain.

### **5.7 Re-opening of Interment Plots**

No person shall disturb any human remains or remove any soil that may be contaminated. After the Interment has been committed to the ground it shall not be removed or otherwise disturbed except for lawful exhumation, by Licence and / or Faculty, or by the Order of a Coroner.

### **Burial Plots**

Plots may be re-opened for further interments, subject to space availability.

Reopened plots will be prepared at single depth.

### **Cremated Remains Plots**

Reopened double depth cremated remains plots will be excavated at single depth, providing for two cremated remains interments in caskets.

### **5.8 Scattering of Cremated Remains**

The scattering of cremated remains is not permitted in the Cemetery. They can, however, be poured into the interment plot without a casket if desired.

### **5.9 Exhumation**

After interment, no body or cremated remains may be removed from a burial or cremated remains plot without the production of an ecclesiastical Faculty and / or Home Office Licence for exhumation required by law. Original documents will be required for this purpose. All burial and cremated remains exhumations must adhere to *The Local Authorities' Cemetery Order 1977*.

## **6 Exclusive Right of Burial**

Purchase of an EROB is limited to eligible persons reserving the plot adjacent to a close relative (as defined in these regulations), if available.

The term of an EROB shall be a maximum of seventy years.

The Exclusive Right of Burial (ERoB) entitles the registered Grantee(s):

To be interred in the burial or cremated remains plot, subject to space availability (See 4.2 and 4.3 for plot capacities);

to determine who is to be interred within the said burial or cremated remains plot, subject to space availability, provided that such interment is permitted under Section 3; and

To apply to erect a memorial on the burial or cremated remains plot, in accordance with the Regulations.

The Council reserves the right to allocate the provision of space with its Cemetery.

### **6.1 Purchasing the Exclusive Right of Burial**

For the avoidance of doubt, the applicable Interment fees apply at the time of use of the plot, ie, the Exclusive Right of Burial fee is in addition to, and does not replace or negate, any of the burial fees payable.

An Exclusive Right of Burial does not confer ownership of the land, the ownership of the land continues to rest with the Council.

The Exclusive Right of Burial does not specify the number of interments that can be accommodated within the burial or cremated remains plot; this will be dependent upon the depth of the first interment, the size of coffin / casket interred in the plot, and the ground conditions at the time of excavation (See 4.2 and 4.3 for plot capacities).

The Council recommends a maximum of three people hold the Right to the Exclusive Right of Burial as grantees.

These regulations apply to existing Exclusive Rights of Burial but only in so far as these provisions do not conflict with the regulations applying at the time of, and the contents of, that grant:

- Although an Exclusive Right of Burial is not an interest in land, for the purposes of establishing who may inherit or deal with the right (such as on survivorship, transfer, transmission or surrender) it shall be treated as if it was a parcel of freehold land so that in particular where two or more persons are grantees of an Exclusive Right of Burial, they shall be deemed to hold that right as if they were holding as joint tenants so that survivorship passes to the remaining grantee or grantees and not under the will of the deceased grantee; but

- The formalities required to effect the transmission etc. shall be in accordance with the relevant forms in the Appendix to these Regulations and not those of freehold land; and



- Nothing in these regulations shall be taken as altering the legal status of such a right as personal property; and

- Where the last surviving grantee dies and an application for interment *or a memorial* needs to be made but no grant of representation to the estate of the deceased grantee has yet been made, the Council may, in its discretion, accept an application made, in the case where there is a will, by the named potential executors, or in any other case by a person who is a next of kin to the deceased;

- In all other cases all living grantees must consent for any interments *and memorial* applications.

The Deed of Grant is proof of the right and must be produced with all prospective interments and memorial applications. Please see 6.3 below.

When the Exclusive Right of Burial has lapsed, the right determines. No advance notice of the expiry will be given.

## **6.2 Transfer of Exclusive Right of Burial**

The grantee/(s) of an existing Exclusive Right of Burial, may transfer, by means of a Deed of Assignment, the right to any other person(s) of at least eighteen years, *upon payment of the appropriate administration fee*, provided that person is eligible to be interred in this Cemetery.

The personal representatives of the last surviving deceased grantee may instruct the Council of the transfer of the Exclusive Right of Burial, upon production of the original Grant of Probate or the Grant of Letters of Administration or the relevant Statutory Declaration and supporting legal documentation.

## **6.3 Lost or Mislaid Deed of Exclusive Right of Burial**

The grantee(s) of the Exclusive Right of Burial are responsible for informing the Council if the Deed of Grant has been lost or mislaid and must request a Deed of Grant reissue from the Parish Council. A Statutory Declaration will be required.

*Reissuing the Exclusive Right of Burial Deed of Grant if lost may incur a reissue administration fee.*

## **6.4 Surrender of a Burial Plot with an Exclusive Right of Burial**

Where no interment has taken place in a purchased burial or cremated remains plot, the grantee(s) of the Exclusive Right of Burial may request the surrender of the plot in return for a refund of the original purchase payment. A Form of Assignment must be completed and returned with the Deed of Grant.

No refund will be made where the Exclusive Right of Burial has expired.

## **6.5 Change of Address or Name Change**

The grantee(s) of the Exclusive Right of Burial are responsible for informing the Council of any changes of address or Deed registration details. No charge is made for amending such details.

## **7 Erecting and Maintaining a Memorial**

### **7.1 Applying and Approval of Memorial Applications - Stonemasons' and Funeral Directors' Responsibility**

All Stonemasons and Funeral Directors must ensure the Council is provided with current copies of their Public Liability insurance certificates.

For Stonemasons or other person(s) involved in the production and installation of memorials, Employers Liability, Public Liability with £5,000,000 cover and Professional Indemnity insurance are required.

For Funeral Directors, Employers Liability and Public Liability insurance with £5,000,000 cover are required.

It is the responsibility of the Registered Stonemasons or Funeral Director to ensure that where the memorial is to be erected on a plot that is the subject of an Exclusive Right or Burial the persons requesting the memorial are the grantees of the Exclusive Right of Burial where appropriate. All grantee(s) must agree to the Memorial Application, whether for a new memorial or an additional inscription.

A copy of these Regulations must be made available to all applicants for a memorial *including grantees of the Exclusive Right of Burial* to clarify the Council's requirements.

It is the responsibility of the Registered Memorial Mason / Funeral Director to ensure all applications received comply with the current Regulations in force at the time of submission, including the application form and appropriate fee. All applications containing inaccurate or erroneous information must be rectified prior to formal submission to the Parish Clerk.

Suitable foundations must be provided in order to prevent memorials from sinking or tilting. All memorials erected in the Cemetery must comply with British Standard 8415 and the National Association of Memorial Masons Recommended Code of Practice or BRAMM Blue Book. Headstones must be installed with the use of a ground anchor.

Works must be guaranteed for at least ten years to safeguard against faulty installation.

Before a memorial is erected the correct grave space must be verified and agreed with the grounds-staff.

### **7.2 Memorial Application**

A Memorial Application to erect or amend an existing memorial must be made prior to installation and agreed by the Parish Clerk. The Council's Memorial Application form must be completed in full and signed by:

- the next of kin of the deceased in the case of a memorial to be erected on a common grave plot or cremated remains plot; or
- all the grantee(s) of the Exclusive Right of Burial in the case where the memorial is to be erected on a purchased grave.

The application must give full details of materials, design, dimensions, inscription and method of fixing. Acceptable materials are natural stone, granite, wood, marble, or slate. Other materials may be considered at the discretion of the Council.

Any memorial which does not comply with the Memorial Application form submitted will be refused installation, or if it has been installed without the presence of a member of the grounds staff its removal shall be undertaken by the installer at their expense upon request by the Parish Council.

A Memorial Application is not needed for *in situ* memorial cleaning and maintenance. It is the responsibility of the Memorial Mason to ensure works are undertaken with the agreement of all owners and with consideration to adjacent memorials.

Memorial Applications cannot be submitted, neither can Applications be approved, prior to interment.

All memorials for burial plots must display the installer's trade name on the reverse of the memorial. The lettering used must be 1 inch (25mm), of uniform height, and placed on the left hand side of the base, 6 inches (150mm) above ground level. No other Inscriptions or drawings are permitted to be shown on the reverse side of the headstone, other than an anchor to denote the means of fixing.

Memorial Applications must be submitted with the appropriate fee and include a copy of the Deed of Grant for each Owner of the Exclusive Right of Burial if appropriate.

Memorial Applications for burial plots can be submitted any time after interment. The Council, however, recommends a period of deferment of at least six months before installation to allow for ground settlement.

The replacement of a memorial without amendment of the inscription will require submission of a Memorial Application but will not incur a fee. All such replacement memorials must comply with these regulations and be approved by the Parish Clerk.

It is the responsibility of the grantee(s) of the Exclusive Right of Burial to submit a Memorial Application with any proposed amendments to existing memorials.

Memorial Applications for cremated remains tablets can be submitted any time after interment. A period of deferment to allow for ground settlement is not required; memorials can be installed any time after interment.

The Council will exclude any memorial that would in any way disfigure the Cemetery or which is considered inappropriate in design. It also reserves the right to refuse any inscription or design which it considers is inappropriate or may cause offence. The Council's decision is final.

A memorial may only be erected on a burial or cremated remains plot within the Cemetery in accordance with the Regulations in force at the time of application.

All memorial installations must be in accordance with the current British Standard 8415, and BRAMM and/or NAMM Codes of Working Practice.

If the grantee is deceased, the Exclusive Right of Burial will need to be transferred prior to Memorial Application approval (See 6.2.)

### **Memorial Tree**

The planting of memorial trees is at the discretion of the Council and is subject to space limitations. Prior permission must be obtained from the Council before planting can take place. Not all such requests can be guaranteed to be accepted. Trees will be maintained by pruning etc. at the discretion of the Council. The tree will be planted by the grounds-staff and the type of tree is subject to prior approval. Any memorial tree that dies will not be replaced by the Council. Please be aware that deer can access the cemetery freely and will sometimes damage trees. Memorial trees, shrubs or plants are not permitted on any grave.

### **Memorial Seat**

Memorial seats are permitted in the cemetery at the discretion of the Council subject to space limitations, and approval of design, material and location. Not all such requests can be guaranteed to be accepted. Seats will be located within certain areas only and prior agreement for the location must be obtained from the Parish Council in writing.

Seats will be regularly stained by the grounds-staff and will be periodically inspected for safety. They will be removed once they are no longer considered safe for use unless they are repaired or replaced at the expense of the original provider. Permission will not be granted for seats to be placed beside any particular grave. A memorial seat is for public use.

*The Council will maintain the donated memorial seat for ten years; after this period the Council reserves the right to remove but not necessarily to replace the bench with a newly donated seat.*

## **7.3 Permitted Memorials**

### **Burial plot**

A memorial headstone must not exceed 2' 6" (750mm) in height, 24" (600mm) in width 3" (75mm) in depth and 24" (600mm) in width and 12" (300mm) in depth at the base. Memorials falling outside these measurements will not be approved or permitted to be installed.

### **Cremated Remains Plot**

A memorial tablet is only permitted within the Cremated Remains section of the Cemetery. Cremated remains tablets must not exceed 1' 6" (450mm) in depth and width, although sloping "book" memorials and similar designs will be permitted, not to exceed 1' 6" (450mm) in height.

Memorials falling outside these measurements will not be approved or permitted to be installed.

## **7.4 Responsibility for Memorial safety**

Safety inspections and testing of memorials will be carried out at periodically by the Parish Council, its employees or its contractors, in accordance with its Memorial Management Policy. Any memorial considered to be unsafe will be dealt with in accordance with that policy.

In this section the term “owner” means:

- in relation to a memorial on a common grave plot, the person or persons who paid for or arranged for the installation of the memorial and after their death, their next of kin; or
- in relation to a memorial erected on a plot subject to an Exclusive Right of Burial the person or persons for the time being the grantees of that Right.

The applicants for a memorial are responsible for ensuring that memorial installations are safe from settlement, and for ensuring the chosen registered stonemason will guarantee remedial works (Please consult the Stonemasons and Funeral Director Registration Scheme). Applicants are responsible for ensuring works are guaranteed against faulty installation.

It is the responsibility of owners to maintain their memorials in a safe condition. Periodic inspections will be carried out and minor repairs may be undertaken by the Council, such as building up earth behind a memorial. Vertical memorials may be laid flat if considered necessary for safety.

More serious repairs will be at the expense of the owner(s) of the memorial. In the case of a memorial requiring repair or remedial work, if the owner(s) cannot be contacted, the Council reserves the right to make safe or remove any memorial that is allowed to fall into disrepair or become unsightly or dangerous. The Council may seek reimbursement from the owner(s) for the whole of the costs of these works.

Should a memorial fail the Council’s inspection, it is the responsibility of the owner(s) to organise repairs and to meet the full costs of those repairs.

## **7.5 Removal of a Memorial for Access**

The Council retains the right to remove memorials, prior to an impending interment, to gain access to adjacent burial plots. The Parish Clerk will make attempt to contact the owner of the plot; when contact is not possible, the Council will remove and replace the said memorial.

## **8 Memorabilia**

No memorabilia, such as toys, wind-chimes, photographs, trinkets etc. are permitted on any burial or cremated remains plots. Any items removed will be kept in the store for six weeks before disposal. The Council does not accept liability for any alleged damage to any unauthorised memorabilia items.

Following interment, floral tributes will be allowed to remain temporarily at the discretion of the Groundsman. Please note that deer can access the Cemetery freely and frequently eat the flowers. Memorial wreaths at Christmas, whether real or artificial, will be removed around mid-January or at the grounds-staff's discretion. No plants, shrubs or trees are to be planted on any grave.

The use of glass, ceramic or other breakable containers is not permitted **for safety reasons**.

To facilitate mowing of the grass, no memorial or object, other than moveable unbreakable flower vases and plant pots, is permitted and they are to be placed at the base of the headstone only. Empty vases left on graves may be removed by the grounds-staff.

### **Definition of Terms**

**Application** - A request made on the Council's prescribed form.

**BRAMM** - British Register of Accredited Memorial Masons

**Burial Plot** - A burial plot is assigned for burial and cremated remains. A burial plot is also known as a grave. Both terms will be used interchangeably within these Regulations.

**Cemetery** - The Cemetery at Church Lane, Brockenhurst (often also referred to as the Churchyard.)

**Cemetery Groundsman** - A member of the grounds-staff appointed by the Council to carry out Cemetery maintenance and interment supervision work on behalf of the Council.

**Common Grave** - A common grave is a burial plot for which an ERB has not been purchased upon or after interment. The Council reserves the right to re-use common graves in the future.

**Council** - Brockenhurst Parish Council which is responsible for administering and maintaining the Cemetery as the Burial Authority. The Proper Officer of the Council is the Parish Clerk.

**Cremated Remains Plot** - An interment plot assigned for cremated remains only.

**Exclusive Right of Burial (ERB)** - An agreement between the Council and the grantee of an interment plot giving them the Right to open the plot *and to install a memorial stone*.

**Exclusive Right of Burial Deed of Grant** - The legal document which records the purchase of the Exclusive Right of Burial, lists the Deed of Grant unique number, the grantees and interment plot details.

**Grantee** - A person or persons who has or have obtained an Exclusive Right of Burial under these regulations. The terms *Holder(s)* and *Owner(s)* relating to the Exclusive Right of Burial as used in the Local Authorities' Cemeteries Order 1977 are included in the term "Grantee" as used in these Regulations. The term "grantee" also includes all persons who are successors to the original grantee (or grantees) where the context so permits.

**ICCM** - Institute of Cemetery and Crematorium Management

**Interment** - The act of burying within a burial or a cremated remains plot.

**Interment plot** - An interment plot is a space assigned for burial and / or cremated remains.

**Memorial** - A memorial is a permanent, fixed, structure, typically inscribed, used to memorialise the person(s) interred. Memorials permitted include memorial headstones and cremation tablets. Headstones are for use on graves, and cremation tablets on cremated remains plots. All memorial installations are subject to Application and approval, and the payment of a fee. All memorials must be installed to the current standards of NAMM (see below) or BS8415.

**Memorial Application** - A request to install a memorial at the Cemetery; made on the Council's application form.

**Memorabilia** - Memorabilia are portable commemorative objects which are not fixed to the main interment plot's memorial.

**NAMM** - National Association of Memorial Masons

**Parish** - the civil parish of Brockenhurst

**Safety Inspection** - Inspections involve the testing of memorials to assess their safety and risk level. Inspections are periodically carried out by the Council to ensure public safety in the Cemetery.

**Statutory Declaration** - A Statutory Declaration is a written statement of fact that is signed in the presence of a witness. The Council uses Statutory Declarations with EROB Transfer cases and other instances requiring a prescribed declaration.

**Transfer of Exclusive Right of Burial** -The act of transferring the Exclusive Right of Burial for the remaining years on the Deed of Grant by means of a Deed of Assignment of Exclusive Right of Burial.