



PENRYN TOWN COUNCIL

Glebe Cemetery Regulations

Penryn Town Council welcomes all visitors to the Glebe Cemetery. Visitors are requested to respect the peace and dignity of the facility.

The cemetery is managed and operated by Penryn Town Council in accordance with the Local Authorities' Cemeteries Order (LACO) 1977, as amended by the Local Authorities' (Amendment) Order 1984 and such other regulations as may be made by the Secretary of State for the Department of Justice from time to time.

1 Management of the Cemetery

- 1.1 All persons entering the cemetery will be subject to the orders and control of the Council or any person authorised by the Council.
- 1.2 All persons shall conduct themselves in a decent, quiet and orderly manner and are reminded of the provisions of the LACO article 18(1):

No person shall:

- wilfully create any disturbance in a cemetery;
- commit any nuisance in a cemetery;
- wilfully interfere with any burial taking place in a cemetery;
- wilfully interfere with any grave or vault, any tombstone or other monument, or any flowers or plants on any such grave; or
- play at any game or sport in a cemetery.

Anyone who contravenes paragraph 1.2 shall be liable on summary conviction to a fine not exceeding the limit as stated in the Local Authorities' Cemeteries Order 1977 as amended from time to time.

- 1.3 Visitors to the cemetery shall not unreasonably interrupt the Council's employees at their duties or employ them to execute private works within the cemetery or extend to them any gratuity. All enquiries, complaints and

requests by members of the public must be made to the office of the Council and not to Council employees in the cemetery.

- 1.4 All dogs should be kept on a lead.
- 1.5 Children under the age of 12 years are not permitted in the cemetery except under the care and supervision of a responsible person.
- 1.6 No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit for orders from the same within the cemetery.
- 1.7 No burial shall take place and no monument shall be placed in the cemetery, nor shall any additional inscription be made on a monument without the prior consent of the Council.

2 Interments

- 2.1 All applications for interments must be submitted on the prescribed form or notice to Penryn Town Council at least 48 hours prior to the appointed time of the interment.
- 2.2 The application for interment must contain full details of the deceased, the proposed interment, the grave to be used and the signature of the owner of the exclusive right of burial, if applicable, or the person that is arranging the interment, and be accompanied by the appropriate fee for interment.
- 2.3 Interments will not be permitted on Saturdays, Sundays and Bank Holidays.
- 2.4 The funeral director or person in charge of the funeral arriving after the appointed time must act under the direction of the Council or their authorised person as to when the funeral service may proceed.
- 2.5 The person or persons arranging the interment shall be responsible for the attendance of a celebrant, if appropriate, to officiate at the burial service and for payment of any fee to which the celebrant is entitled.
- 2.6 Any form of religious service may be used but any other ceremony is subject to the approval of the Council. Alternatively, the burial may take place without a service.
- 2.7 A certificate for disposal issued by the Registrar of Births and Deaths or a Coroner's Order for Burial or a duplicate copy thereof must be delivered to the

Council or their authorised officer at least 24 hours in advance of the burial, or, if agreed with the Council, when the funeral cortege arrives at the cemetery.

- 2.8 The responsibility for providing sufficient bearers to carry the coffin reverently from the hearse to the grave, whether mourners are present or not, rests with the funeral director or person arranging the funeral.
- 2.9 All graves will be prepared by an approved contractor.
- 2.10 No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet (900 mm) below the level of any ground.
- 2.11 No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave on a previous occasion by means of a layer of earth not less than six inches (150 mm) thick.
- 2.12 Where any grave is reopened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove therefrom any soil which is offensive.
- 2.13 After interment, no body or cremated remains may be removed from a grave without the production of the ecclesiastical faculty and/or Ministry of Justice licence for exhumation required by law. The Town Council will require the original documents for this purpose.
- 2.14 In the case of the reopening of a private grave, the written consent of the owner of the burial rights will be required. Where the owner is previously deceased, the funeral organisers will be responsible for proving legal authority to request that the grave be reopened. No consent will be required to bury the deceased owner of the exclusive right of burial.

3 Exclusive right of burial

- 3.1 The exclusive right of burial in a grave may be purchased at the time of the interment on payment of the appropriate fee and completion of the relevant application form including the signature of the proposed owner.
- 3.2 The lease period for granting of exclusive right of burial is 50 years.
- 3.3 The exclusive right of burial entitles the deed holder to determine who is buried in the grave and whether a monument can be erected on the grave (subject to the payment of the relevant fee and permission being granted by the Council).

- 3.4 As owner of the exclusive right of burial, the deed owner is responsible for informing the Council of any change of address. If a problem occurs with the grave or monument and the Council is unable to contact the deed owner, the Council has the right to take whatever action is necessary to resolve the problem. If this involves a cost to the Council, the deed owner may be asked to pay this before allowing any further burials in the grave.
- 3.5 All such private graves will be initially excavated to the standard depth determined by the Council. The Council cannot be held responsible if, due to factors outside its control, the full number of interments in a grave cannot be achieved.
- 3.6 New graves are allocated in strict rotation within each section of the cemetery. If a request is received for a grave to be dug out of rotation (except where an exclusive right of burial has already been purchased) this will be subject to the approval of the Council and subject to an additional fee. Plans showing the grave spaces are kept by the Council and may be viewed during normal office hours.
- 3.7 At the expiration of the 50 year period of the exclusive right of burial the purchaser, or their heir or successors, will have the option of renewing the right, subject to such restrictions and regulations as may be in force at that time.
- 3.8 Application for renewal of the right should be made within twelve months of the expiry of the previous grant.
- 3.9 Where the period of grant of right of burial has elapsed, and no notification of the intention to renew has been received from the person who held the right of burial, the Council may grant a renewed right of burial to another person, but before doing so, will, where possible, notify the previous owner of the right, or their personal representative, and give option of renewal.

4 Monuments

- 4.1 A monument may only be erected on a private grave space within the cemetery in accordance with these regulations and upon payment of the appropriate fee. The right to erect a monument rests with the deed holder of the exclusive right of burial, or their executor, and will be for the unexpired portion of the grant of exclusive right of burial.

- 4.2 A monument cannot be erected/replaced until six months after the burial to allow the ground to settle. The exception to this is cremation tablets where they can be placed immediately, subject to approval.
- 4.3 All works to monuments, including refixing and refurbishment, must be carried out under the supervision of a mason who is a registered approved contractor, a member of the BRAMM or NAMM scheme and in strict accordance with BS8415 and the NAMM code of practice.
- 4.4 Any contractor working in the cemetery must have public and product liability insurance of at least £5,000,000 and provide the Council with supporting paperwork to confirm this on an annual basis.
- 4.5 Application for approval to place a new monument in the cemetery, alter or add to any inscription, or replace, add to or remove from the cemetery any monument, must be submitted to the Council on the appropriate Memorial Application Form, provided by the Council.

Such notice must be submitted at least two weeks in advance of the proposed date of erection and must include:

- the grave number and name of the deceased;
 - in the case of a new monument, a drawing of the monument and its specification, including the type, colour and finish (i.e. polished, honed etc) of the material (natural stone) to be used, and showing all dimensions including those of the kerb set (if appropriate), the type of approved ground anchor system used, and the foundation slab;
 - the text of any inscription to be inscribed on the monument, or any text to be altered or added to any existing monument, and the method of lettering (i.e. incised, incised inlaid with lead etc);
 - the name, address and signature of the person placing the order for the monumental work to be undertaken, who should be the owner of the exclusive right of burial; and
 - the name, address, and telephone number of the monumental mason.
- 4.6 The name, address and signature of the person placing the order for the monument work to be undertaken, should be the exclusive right of burial deed-holder. If such owner is deceased, ownership must be resolved before permission will be granted. This is the responsibility of the executor, family or representative of the deceased. If the owner is alive, but is not making the application, the applicant must provide a letter in the owner's hand confirming

and authorising such application. Ownership of the monument remains with the holder of the right and not with the person who may have paid for it.

- 4.7 The approval of the Council for any such application will be confirmed by the return of an authorised signed copy of the Monument Application Form. No work should be undertaken until the Monument Application Form has been returned. This form is authorised on the understanding that the work undertaken will fully comply with the details specified within the application form and the requirements of these Regulations. The approved form must be produced if and when required by a Council employee whilst work is being carried out.
- 4.8 Anyone who erects a monument, or who undertakes any monumental work within the cemetery not in compliance with these Regulations, may be compelled to remove the said monument and pay all costs involved.
- 4.9 All monuments shall be constructed of granite, marble, slate or other hard natural stone of monumental quality, which must be durable and sound. The grave number and the memorial mason's name must be clearly but discretely inscribed on the monument base.
- 4.10 Headstones shall be constructed of a single piece of stone, although they may be inlaid with natural stone, lead or bronze as part of the design or inscription provided such inlay shall not reduce the main body of the headstone to less than 50mm or be raised above the surface of the headstone proper by more than 13mm and must be contained within the overall dimensions of the headstone.
- 4.11 The headstone shall not exceed three feet (900 mm) in height (above ground level); or three feet (900 mm) in width.
- 4.12 All persons employed on behalf of the owner of the exclusive right of burial, or personal representatives of such person, to erect any monument shall carry out their work strictly under the direction of the Council and shall:
- (i) at the cost of the owner, or personal representative, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of the work;
 - (ii) perform the work during the normal opening hours of the Council offices; and
 - (iii) provide their own tools and equipment and complete the work with due despatch.

- 4.13 The Council must be informed of the removal of any monument from the cemetery or of any remedial work to monuments.
- 4.14 The removal and re-erection of a monument to facilitate the reopening of a private grave, or to level such grave shall be at the expense of the grave owner or their personal representative.
- 4.15 Any person removing a monument to permit a further interment shall either remove the same from the cemetery, after informing the Council, or place it in position indicated by the Council.
- 4.16 Any monument removed from a grave to facilitate an interment shall be replaced as soon as possible.
- 4.17 Any unauthorised monument shall be removed at the expense of the grave owner, or their personal representative.

5 Cremated remains

- 5.1 Cremated remains may be interred, in caskets or other approved containers, or scattered in a conventional grave in the cemetery for which the exclusive right has been purchased.
- 5.2 The Council has made provision for the interment of cremated remains in the cemetery in a separate designated area. Cremated remains may be interred in this area, and a flat stone memorial of a type and design approved by the Council placed on top. Only two interments per plot will be permitted.
- 5.3 A flower vase may be placed within the memorial. All memorials in the cremated remains section will be a flat tablet of two feet (600 mm) square. The face of the memorial will be level with the one prior. Plinths and bases are not permitted. Any type of stone may be used. The Council reserves the right to remove any flower vases, plants or ornaments that are placed around the memorials.

6 Health and safety

- 6.1 Any monument erected in the cemetery remains the property and responsibility of the grave owner or their personal representative and therefore, remains in the cemetery at the sole risk of, and must be kept in a good state of repair by, the said owner or personal representative.

- 6.2 Penryn Town Council shall not be held responsible for any damage or breakage which may occur to any monument through any cause whatsoever, except that caused by the direct actions of Council staff or contractors.
- 6.3 The Council strongly encourages the insuring of all monuments in its cemetery.
- 6.4 The Council undertakes safety inspections on all monuments on an annual basis. Where the Council is unable to trace the owners of graves with unsafe monuments, these monuments will be staked for a period of twelve months and laid flat to prevent the possibility of accidents. If, at the end of this period, no work has been undertaken to rectify, the Council will make safe by either removing, fixing or burying.

7 Maintenance and upkeep

- 7.1 After an interment has taken place in a private grave and a reasonable time has elapsed for the natural subsidence of the earth used to fill the grave, the Town Council shall, in accordance with the LACO 1977, cause the surface of the grave to be levelled and properly covered with top soil and seeded, except for any area covered by any monument.
- 7.2 It is the responsibility of the grave owner to keep the grave space in a tidy condition. In default, the Council reserves the right to level top soil and re-seed.
- 7.3 The placing on graves of glass containers or shades, items of pottery, tins, plastic or wire mesh fences or other items of metal, plastic or other material are forbidden and will be removed by the Council without notice. Temporary wooden crosses are permitted.
- 7.4 The cemetery is designated as a lawn cemetery and in order to facilitate the cutting of the grass, shrubs, plants, garden ornaments, kerb stones, edging, or boundary marking of grave spaces will not be allowed.
- 7.5 The Council reserves the right to remove from any grave spaces flowers, plants, floral tributes, wreaths or receptacles which have deteriorated or become unsightly and to dispose of them in such manner as it sees fit.
- 7.6 Grass cutting will be carried out by Penryn Town Council at a frequency determined by weather conditions and by the Council.

8 Fees

- 8.1 Fees for all cemetery services will be determined by the Council annually, to take effect from 1 April each year.
- 8.2 In determining whether fees will be chargeable at the Parishioner or non-Parishioner rate, the Town Council has defined the term 'Parishioner/Resident' in response of the operation of the scale of charges to include:
- any person who has resided within the Parish boundary of Penryn for not less than one year immediately prior to death;
 - any person who, at any time, has lived in the town for at least five years; or
 - patients in hospitals or institutions normally resident in Penryn.
- 8.3 All fees are payable in advance to Penryn Town Council.

9 General

- 9.1 All rubbish and waste material, including wreaths and floral tributes, which have been removed from graves, should be disposed of in the litter bins provided. Household waste or other waste material not generated in the cemetery must not be placed in the litter bins.
- 9.2 The Council is empowered to alter or amend the foregoing regulations at any time; to introduce further regulations as it considers necessary; to waive any of the foregoing regulations in exceptional circumstances; or to impose temporary restrictions on any matters not specifically covered by these regulations.