



ENVIRONMENTAL SERVICES AND CONSUMER PROTECTION

BEREAVEMENT SERVICES

CEMETERIES

RULES AND REGULATIONS

SOUTHAMPTON CITY

Rules and Regulations relating to the Cemeteries of the City of Southampton made by The Council as the Burial Authority for the City of Southampton for the management and control of the Cemeteries under their control.

"The Council" means Southampton City.

A. GENERAL.

1. In these Regulations:

"THE COUNCIL" means Southampton City.

"THE CEMETERY" means the cemeteries controlled by the Council or any of them as the context admits.

"REGISTRAR" means the Registrar of Cemeteries appointed by the Council or the person for the time being carrying out the duties of Registrar and any person acting for him at the Cemetery in his absence.

"GRAVE" means a burial place formed in the ground by excavation, without any internal wall of brickwork, stonework or artificial lining.

"VAULT" includes underground burial places of every description except graves to which the word "grave" interpreted as aforesaid, applies.

"PURCHASED GRAVE" means a grave space in respect of which the exclusive right of burial has been granted by the Council, and references to the purchase, grant, owner or ownership of a grave shall be construed as the purchase, grant, owner or ownership of such right.

THE COUNCIL GRANT IN RESPECT OF ANY GRAVE IS NOT TO BE CONSTRUED AS EXTENDING FARTHER THAN A GRANT OR EXCLUSIVE RIGHT OF BURIAL THEREIN.

"UNPURCHASED GRAVE" means a grave space wherein such exclusive right of burial has not been granted.

"MASON" means any person carrying on the business or trade of a stonemason or stone cutter, and includes any person for the time being engaged in the Cemetery in the erection, removal or maintenance of a memorial.

"MEMORIAL" means any monument, headpiece, cross, scroll, book, headstone, kerb or any permanent memorial of any description whatsoever placed in the Cemetery.

2. OFFICE HOURS.

Registrar's Office.

The offices of the Registrar of Cemeteries, at present situated at 6, Bugle Street, will be open for business during the following hours: -

Mondays to Thursdays	9.00 a.m. to 4.30 p.m.
Fridays	9.00 a.m. to 4.00 p.m.

or such other times as may be prescribed by the Council.

The offices are not open on Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday or on a Public or Bank Holiday or any other official holiday.

Further details/clarification of these Rules and Regulations can be obtained from this office. Telephone No. (023) 8022 8609.

3. PLANS.

Overall plans of the Cemeteries are kept at the Registrar's Office

4. NOTICES OF INTERMENT.

All notices of interment shall be delivered to the offices of the Registrar, on the form provided by the Council, during normal office hours.

5. LENGTH OF NOTICE.

At least 48 hours notice of interment in any grave, exclusive of Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday or a Public or Bank or any other official holiday, shall be given to the Registrar.

6. TELEPHONE INSTRUCTIONS.

The Council will not accept any responsibility for any delay or misunderstanding which may occur if instructions are given by telephone.

7. USE OF CHAPELS.

When notice is given, the Registrar must be informed if it is intended to hold a burial service in the Cemetery Chapel. The last time for use of chapel is: 1st November to 31st January - (Monday to Thursday 2.30 p.m. - Friday 2.00 p.m.) - 1st February to 31st October - (Monday to Thursday 3.30 p.m. - Friday 2.30 p.m.).

8. INFECTIOUS DISEASES.

Where a funeral is of a person dying of infectious disease the notice of interment must contain a statement to this effect. The body of a person dying of an infectious disease will not be allowed to be taken in the Cemetery Chapel.

9. HOURS OF INTERMENT.

Interments shall be allowed only between the hours of 9.00 a.m. and 4.00 p.m. Monday to Thursday, Friday 9.00 a.m. to 3.00 p.m. No interments shall take place on Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday or any other Public or Bank or official holiday.

10. PAYMENT OF FEES.

All fees and charges must be paid to the Registrar at the time of application or notice in the absence of any arrangement with the Council to the contrary. Where special arrangements are made for the payment of fees and charges these must be paid to the Registrar within 48 hours of being demanded.

11. CERTIFICATES OF DISPOSAL.

- (a) No burial will be allowed to take place unless such a certificate as is mentioned in the succeeding sub-clause is delivered to the Registrar before an interment takes place.
- (b) A certificate for the purpose of this clause shall be:-
 - (i) in the case of a stillborn child, the appropriate certificate under the Births and Deaths Registration Act, 1953;
 - (ii) In the case of a death reported to the Coroner, the Coroner's Order;
 - (iii) In any other case, the Certificate for Disposal issued by the Registrar of Births and Deaths.
- (c) If any such certificate be mislaid or lost a declaration to the satisfaction of the Registrar will be made by the person procuring the disposal of the body. The original certificate or a duplicate copy issued by the Registrar of Births and Deaths or the Coroner must be produced to the Registrar within 24 hours following the signing of the declaration.

12. DISPOSAL OF CREMATED REMAINS.

Before the Registrar can authorise the interment or scattering of cremated remains of any person in the Cemetery a certificate must be produced from the appropriate officer of the Crematorium that the Certificate for Disposal has been produced to the Medical Referee of that Crematorium and that notification of the disposal has been delivered to the appropriate Registrar of Births and Deaths.

13. OPENING OF A PURCHASED GRAVE.

Whenever an interment is to take place in a purchased grave the deed of grant will be produced at the Registrar's Office at the time of giving notice.

THE SIGNATURE OF THE REGISTERED OWNER OF THE BURIAL RIGHTS ON THE APPROPRIATE FORM TOGETHER WITH THE PRODUCTION OF THE GRANT SHALL BE SUFFICIENT AUTHORITY TO THE COUNCIL TO OPEN THE GRAVE.

Provided that in cases where the Deed of Grant has been lost or mislaid the grave will be opened on the application of the owner or any person whom the Council consider entitled thereto on such person making a declaration and giving indemnity to the Council on forms which may be obtained from the Registrar's Office.

14. PURCHASED GRAVE.

The purchase of the exclusive right of burial in grave spaces is subject to the approval of the Registrar, and the Council expressly reserve the right to retain any grave space for their own purpose.

15. DEED OF PURCHASED GRAVE.

On the purchase of the exclusive right of burial in a grave, a Deed of Grant will be issued to the purchaser whose name will be registered in the books of the Council.

The Exclusive Right of Burial will be for a period of 75 years from the date the deed was issued.

16. TRANSFER OF RIGHT OF BURIAL.

- (a) The transfer of the exclusive right of burial in a grave must be notified to the Registrar who will enter the transfer in the Register of Grants kept by him.
- (b) Where no interment has taken place in a purchased grave, the Council may agree to repurchase the grave. If the Council so agree, a payment

shall be made by the Council to the owner for the time being, of a sum not exceeding the original purchase price.

17. UNPURCHASED GRAVE.

Persons interring in unpurchased graves acquire no rights, all rights being vested in the Council. Unpurchased graves may be dug to accommodate two interments of persons being not of the same family.

18. COFFINS/CASKETS.

All coffins/caskets will be made of perishable materials **NO METAL TYPE COFFINS/CASKETS** will be allowed, as they do not decompose.

19. DISTANCE OF COFFIN FROM SURFACE OF SOIL.

No part of any coffin/casket in any grave shall be less than 915mm (3 ft.) from the ordinary level of the ground, unless the grave space is sealed.

20. VAULTS/BRICK GRAVES.

NO new brick graves or vaults will be allowed to be constructed. OLD vaults shall be opened from the top unless the owner thereof shall have purchased the exclusive right of burial in the ground for the entrance thereto.

Every person who, in the Cemetery, buries a body in a vault/brick grave shall, within 24 hours after the deposit of the coffin/casket in the vault, cause the coffin/casket to be wholly and permanently enclosed in a separate cell or receptacle which shall be constructed of slate or stone flagging not less than 50mm in thickness properly jointed in cement, or of good brickwork in cement and in such manner as to prevent, as far as may be practicable, the escape of noxious gas from the interior of the cell or receptacle.

21. DIMENSIONS OF COFFINS/CASKETS.

Graves will be sufficiently large to admit coffins/caskets of the dimensions specified upon the form of application. In the event of a grave having to be enlarged in consequence of the coffin/casket exceeding the given dimensions an additional charge as determined by the Registrar, will be incurred.

Where dimensions are given in excess of size of coffin/casket an additional charge, as determined by the Registrar, will be incurred.

22. DIGGING OF GRAVES AND RE-OPENING OF VAULTS.

All graves will be dug and excavated, filled up and dressed by Contractor or Council employees. 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 who will be at liberty to employ his own staff for that purpose, subject to the Rules and Regulations for the time being of the Council with regard to the Cemetery, and 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. New graves (earthen only) will be dug to a maximum depth of 1829mm to accommodate two coffins/caskets, unless sufficient reason is given to the Registrar for the new grave to be dug to accommodate three interments. An additional fee will be payable for this extra depth.

23. TIME OF FUNERAL.

The procession must arrive at the Cemetery at the time fixed for the funeral to prevent inconvenience and one funeral interfering with another. In the event of a funeral arriving late the cortege must wait, as and where directed by the Registrar or his Representative.

24. CONTROL OF FUNERALS.

All funerals at the Cemetery are under the control and direction of the Registrar and in any case in which the burial is one at which a number of persons may be expected to assemble, the fact must be notified to the Registrar at the time of giving notice of the interment.

In all cases of military or public funerals the management of the Cemetery, together with the propriety or necessity of closing same, will be at the discretion of the Registrar.

25. BANDS, BANNERS ETC.

No band or music or persons carrying banners will be allowed in the Cemetery except at a military funeral or by special consent of the Registrar.

26. RIGHT OF EXCLUSION.

The Registrar may, at his own discretion, exclude from the Cemetery, at any time, all or any persons not being members of the family or relatives of the deceased whose funeral is then taking place therein, or not having any duty or service in connection with such funeral.

27. REMOVAL OF COFFIN/CASKET LIDS, ETC.

No funeral director or other person shall be permitted to remove coffin/casket lids or slides from any coffin/casket at any interment within the Cemetery.

28. REMOVAL OF REMAINS.

No coffin/casket shall be removed after burial without the consent of the Secretary of State for Home Affairs or the Faculty of the Bishop of the Diocese, as may be required.

29. RAISED MOUNDS OR BANKS.

Raised mounds or banks are not permitted on any grave in the Cemetery and no grave will be allowed to be raised above the level of the adjoining ground.

30. MOTOR VEHICLES.

Vehicles accompanying funerals will be admitted into the Cemetery along the main drive. No vehicle will be allowed to travel on any other drive or path without the consent of the Registrar.

All funeral corteges, whilst within the Cemetery, will be subject to the direction of the Registrar.

B. MEMORIALS.

1. MEMORIALS AT OWNERS RISK.

All headstones, kerbstones, monuments or memorials of whatever description admitted into the Cemetery or permitted to be erected therein, shall be erected and remain at the sole risk of the owner thereof and the Council will not be held responsible for any damage or breakage which may occur through any cause whatsoever.

2. MONUMENTS NOT TO BE REMOVED OR ALTERED WITHOUT CONSENT.

It will not be lawful for any person, without the consent of the Registrar, to remove, alter or disturb any monument, headstone or any other memorial device or other monumental work which has been placed in the Cemetery.

3. ALL BRICK AND STONE WORK REPAIRS TO BE DONE UNDER THE SUPERVISION OF THE REGISTRAR.

All brick and stone work repairs in the vaults and graves and all foundation work, removals and other work will be executed under the supervision of, and to the satisfaction of the Registrar.

4. MEMORIALS AND INSCRIPTIONS NOT TO BE ADMITTED WITHOUT CONSENT.

No memorial or inscription will be admitted into the Cemetery without the consent of the Council given in writing on the official permit signed by the Registrar.

All memorials will be of the prescribed dimensions and erected or fixed subject to the payment of the prescribed fees and charges and in accordance with the Rules and Regulations in force for the time being. The Council reserve the right to remove any unauthorised memorial, kerb surrounds to grave spaces etc. that do not comply with the Rules and Regulations in force at the time.

5. MEMORIALS ON UNPURCHASED GRAVES.

Persons interring in unpurchased graves acquire no rights. All rights are vested in the Council. No brick or stone work, nor any memorial or monument will be allowed in or upon any such grave.

All present memorials may be removed by the Council after the expiration of fourteen years and all such memorials shall become and shall remain the property of the Council. (Refers to interments prior to 1st. April 1988).

6. MEMORIALS ON PURCHASED GRAVES.

The purchaser of a right of burial may erect a memorial or monument on the grave or vault subject to the payment of the prescribed fees and subject to the Rules and Regulations in force at that time, such memorial to remain the property of the owner.

7. APPLICATION FOR MEMORIALS AND INSCRIPTIONS.

An application for the erection of, or alteration to, any memorial, or the cutting of an inscription, must be made to the Registrar in a form approved by him and signed by the owner or other person having the authority of the owner to do so.

A permit signed by the Registrar will be issued before any work is carried out. In the case of a departure from the approved application the mason concerned will, at his own expense, and to the satisfaction of the Registrar, carry out any works necessary to make the memorial comply with the approved application.

8. POSITION OF MEMORIALS.

The position of memorials will be subject to the approval of the Registrar.

9. PERMITTED MATERIALS.

Only memorials constructed wholly of natural stone will be erected. Bath, Caen or other soft stone or slate (other than Welsh First Class and Westmorland) of any kind will not be used in the construction of a memorial or any part thereof.

10. SIZE AND CONSTRUCTION OF MEMORIALS.

No memorial or other article will be allowed to be erected on an adult grave other than one of the following:

- (a) A headstone or other upright memorial (main memorial) not less than 535mm (1ft.9ins.) or exceeding 1800mm (6ft.) in height overall from ground level; not less than 450mm (1ft.6ins.) or exceeding 900mm (3ft.) in width, not less than 75mm (3ins.) in thickness, not exceeding 450mm (1ft.6ins.) front to back.

An additional memorial to the main memorial can be of 50 mm (2 ins) in thickness.

- (b) Cover slabs must not be less than 40MM (1½ ins) in thickness.
- (c) A memorial vase not to exceed 300mm (1ft.) in any dimension.
- (d) A kerbstone surround must not exceed overall 1981mm (6 ft 6 ins) in length, 900mm (3ft.) in width, or 150mm (6ins.) in thickness. In

particular cases Registrar can approve length of kerb to extend to 2135 mm (7 ft).

In the case of kerbstones surrounding a double grave space, these must not exceed 2135 mm (7 ft) in overall width.

The overall size must take into account the dimensions of any corner posts and headstone thickness (where applicable).

Posts must not exceed 225mm (9ins.) in height.

All memorials described in (a) above shall stand on a foundation at least 1000mm (3ft.4ins.) in length, 450mm (1ft.6ins.) in width and not less than 75mm (3ins.) in thickness which shall be placed 25mm (1in.) below natural level of the ground.

In respect of memorials on a child's grave the sizes shall be:

- (a) A headstone or other upright memorial not less than 535mm (1ft.9ins.) or exceeding 1200mm (4ft.) in height, not less than 450mm (1ft.6ins.) or exceeding 600mm (2ft.) in width, not less than 50mm (2ins.) or exceeding 150mm (6ins.) in thickness.

The foundation shall be 750mm (2ft.6ins.) in length, 300mm (1ft.) in width and not less than 75mm (3ins.) in thickness.

- (b) A memorial vase not to exceed 300mm (1ft.) in any dimension.
- (c) A kerbstone surround must not exceed the dimensions 1350mm (4ft.6ins.) in length, 600mm (2ft.) in width or 1500mm (6ins.) in thickness.

The overall size must take into account the dimensions of any corner posts and headstone thickness (where applicable).

If the headstone is fastened to a base, such base shall not exceed 900mm (3ft.) in length and 450mm (1ft.6ins.) in width.

Where a memorial is not fitted to a base it shall be doveled or joggled to the foundation stone.

In respect of memorials on a Cremated Remains Plot the sizes shall be:

- (a) The maximum size of the memorial not to exceed 560mm (1'10") x 560mm (1'10"); overall height, including bases and sub bases not to exceed 530mm (1'9"); minimum thickness 50mm (2").
- (b) The memorials to be of a natural stone material.
- (c) Kerb type memorials are not allowed.

SECTION AND GRAVE NUMBER SHALL BE ENGRAVED ON EVERY MEMORIAL.

11. ERECTION, REMOVAL AND REFIXING.

- (a) The erection, removal and refixing of any memorial must be carried out by workmen appointed by the owner at his expense. The work must be carried out and completed expeditiously and subject in all respects to the instructions of the Registrar. Memorials removed for any interment must be taken away from the grave and stored in the designated storage area of the cemetery.
- (b) 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 Registrar.
- (c) The mason will provide all tools and materials required for the erection of a memorial.
- (d) Masons and other persons employed in connection with memorials will be held responsible for any damage done by them either to the ground or any memorial erected within the Cemetery.
- (e) 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.
- (f) Memorials must not be fixed in unsuitable weather or whilst the ground is in an unfit state, the opinion of the Registrar in these respects being conclusive.
- (g) No memorial removed for a burial will be allowed to be removed from the Cemetery without the consent, in writing, of the owner first being obtained.

12. EXCLUSION OF MEMORIALS.

The Council reserve the right to exclude any memorial not executed in a workmanlike manner or that would in any way disfigure the Cemetery or which they consider unsuitable in design.

They also reserve the right to refuse any inscription which they consider may cause offence.

13. REPAIR OF MEMORIALS.

The owners will keep all memorials in good repair. Where in the opinion of the Registrar it is necessary for repairs to be effected, notice will be sent to the owner at last known address or if none is known, posted upon the grave and if the repairs are not executed within six months after such notice has been sent or posted upon the grave, the Registrar may remove the memorial or cause the necessary repairs to be carried out to the memorial and any charges incurred will be paid by the owner. No further interment will be allowed in the grave until such charges have been paid.

14. MASON'S NAME.

With the consent of the owner, the mason may cut his name on the memorial but not his address or any other particulars.

15. GRAVE NUMBER.

The number of the grave shall be visibly engraved on every memorial.

16. WORKING HOURS

For the purpose of these Rules and Regulations the working hours will be those of the workmen employed by the Council, at present 8.00 a.m. to 4.30 p.m. Monday to Thursday, 3.30 p.m. Friday.

Any requirement to work outside these hours must be by permission of the Registrar.

C. MISCELLANEOUS.

1. CONDUCT OF VISITORS.

Persons visiting the Cemetery will at all times conduct themselves with proper decorum in every respect.

2. CHILDREN UNDER THE AGE OF TEN YEARS.

Children apparently under the age of ten years, will not be admitted to the Cemetery unless accompanied by an adult.

3. SMOKING IN THE CEMETERY.

Smoking is strictly prohibited in the Cemetery near any place where a funeral or religious service is taking place.

4. TOUTING, TRACTS, ETC.

No person will be allowed to tout for or solicit any orders, exhibit designs, distribute tracts or business cards or advertisements within the Cemetery. No measurements, photographs or copies will be made of any memorial unless written consent of the owner or the consent of the Registrar is first obtained.

5. DOGS IN THE CEMETERY.

Dogs will not be allowed within the Cemetery unless on a leash, and owners are requested not to allow their dogs to foul upon grave spaces or upon memorials.

6. HOURS OF ADMISSION.

The Cemetery is open from 8.00 a.m. until sunset on weekdays and from 9.00 a.m. until sunset on Sundays, Christmas Day, Boxing Day, Good Friday and any Public or Bank Holiday.

No person will enter the Cemetery before the opening or remain after the closing thereof except in pursuance thereof of some employment under the Council.

7. GRATUITIES, COMMISSIONS OR CANVASSING.

The officers and servants of the Council will not be offered nor receive any gratuity, or undertake any work in the Cemetery for their own personal benefit, nor solicit orders on behalf of any trades person.

Any officer or servant offending against this Regulation will be liable to instant dismissal.

8. VISITORS NOT TO INTERRUPT CEMETERY EMPLOYEES.

Visitors or persons attending funerals will not interrupt the Cemetery staff at their duties.

9. (i) PENALTIES AND OFFENCES (GENERAL).

Article 18 (1) Local Authorities Cemeteries Order, 1977 provides that 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 matters or
- (e) play at any game or sport in a Cemetery

or any person contravening any of the above provisions is liable on summary conviction to a fine not exceeding £100, and in the case of a continuing offence to a fine not exceeding £10 for each day which the offence continues after the conviction thereof.

(ii) PENALTIES FOR OFFENDING AGAINST RULES AND REGULATIONS.

Any person offending against these Rules and Regulations may be excluded from the Cemetery for such period as the Council determine, and in the case of a Funeral Director or Monumental Mason, this will extend to his/her employees in connection with any work or duties within the Cemetery.

10. ALTERATION OF REGULATIONS.

These Regulations are subject to alteration by the Council from time to time as may be considered necessary.

11. REPEAL OF REGULATIONS.

All previous Rules and Regulations made by the Council in respect of the Cemeteries are hereby repealed.

12. COMMENCEMENT.

These Rules and Regulations shall come into force on the 1st January 2003 and shall have effect to cancel all previous Rules and Regulations made by the Council.