



# **Cemetery Rules and Regulations**

2015/2016

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Bereavement Services is part of the Directorate of Regulatory Services

**SOUTHAMPTON CITY COUNCIL  
CEMETERIES RULES AND REGULATIONS**

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# SOUTHAMPTON CITY COUNCIL CEMETERIES RULES AND REGULATIONS

## Introduction

The cemeteries are managed in accordance with the Local Authorities' Cemeteries Order 1977 under which burial authorities are responsible for maintaining statutory burial registers and grave plans, establishing rules and regulations relating to the management of the cemeteries and the memorials permitted with them and setting fees for burials and memorials.

The regulations include the statutory requirements contained within the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977 together with any other relevant legislation that governs this service.

The cemeteries covered by these regulations are:

- **Hollybrook Cemetery**
- **Millbrook Cemetery**
- **Southampton (Old) Cemetery**
- **South Stoneham Cemetery**
- **St Mary Extra Cemetery**

Southampton City Council reserves the right to make alterations or additions to these Rules and Regulations and their Fees and Charges.

## 2. **Bereavement Services office opening hours**

All enquiries should be made to:-

Bereavement Services  
Southampton City Council  
Southampton Crematorium  
Bassett Green Road  
Southampton  
Hants SO16 3NF Tel: 023 8076 6405

Email: [bereavement.services@southampton.gov.uk](mailto:bereavement.services@southampton.gov.uk)

Mondays, Wednesdays and Thursdays	9.00 a.m. to 4.30 p.m.
Tuesdays	10.00 a.m. to 4.30 p.m.
Fridays	9.00 a.m. to 4.00 p.m.

The offices are not open on Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday or Bank Holidays.

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## 3. Cemetery records

Bereavement Services maintains records of all burials undertaken within the cemeteries provided in Southampton. A genealogy fee is charged for staff to search and provide details of these records. Older grave burial registers are available for public perusal and are kept at 6 Bugle Street. Any person who wishes to inspect these grave registers must first make an appointment to do so.

As soon as is reasonably practicable all details relating to a burial are recorded by the Council. Grave Deeds relating to new purchased graves are sent direct to the purchaser of the exclusive rights of burial.

## 4. Burials

- 4.1 Interments can take place Monday to Friday between the hours of 9.00am and 2.00pm. There will be no interments on Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday or Bank holidays.
- 4.2 At least 48 hours' notice is required for any interment, exclusive of Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday or a Bank holidays.
- 4.3 All notices of interment/scattering must be delivered to Southampton Crematorium, on the form supplied by the Council at least two working days (48 hours) prior to the time the burial is due to take place, when this form has been accepted no alterations will be permitted. It is therefore important that this form is completed clearly and checked by the applicant before signing as the Council will not be responsible for any misunderstandings which may arise as a result of any telephone instructions. No funeral can take place without a Certificate for Disposal or the Coroners Order for burial, failure to provide this with result in a delay of the burial until the certificate can be produced. Any additional expense incurred by the Council as a result of incorrect or missing information/paperwork will be charged to the person making the application.
- 4.4 A burial can take place with or without a religious service. It is the responsibility of the funeral director or bereaved family to arrange for a Minister or other persons authorised to officiate at the burial.
- 4.5 The allocation of a new grave space is managed by the cemetery office, burials will only be allowed in designated areas previously laid out for burials. A selection fee is charged if you wish to arrange to meet a member of staff to select a grave space.
- 4.6 All coffins/caskets will be made of perishable materials no metal type coffins/caskets will be allowed.
- 4.7 The number of burials that can be accommodated in a grave space is dependent on a number of factors including the ground conditions at the time the grave is excavated. We will, however, do our best to

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accommodate your request if we can do so safely and in accordance with legislation.

- 4.8 The time stated for a funeral must be punctually observed to prevent inconvenience for other services, therefore any funeral arriving before the time appointed may have to wait until the time arranged. Any funeral arriving after the appointed time must act under the direction of the Council representative as to when the burial may proceed. Late arrivals may incur additional charges. All funeral corteges are under the control and direction of the Council representative.
- 4.9 Vehicles accompanying funerals will be admitted into the Cemetery along the main drives. No vehicle will be allowed to travel on any other drive or path without the consent of the Registrar.
- 4.10 If it is anticipated that a large number of persons may be expected to assemble at any one burial, this must be reported to the cemeteries office the day before the proposed burial in order for arrangements to be made accordingly.
- 4.11 In all cases of military or public funerals the management of the Cemetery will be at the discretion of the Registrar.
- 4.12 No bands, music or persons carrying banners will be allowed in the Cemetery except at a military funeral or by special consent of the Registrar.
- 4.13 A certificate of cremation must be produced before the interment or scattering of cremated remains of any person in the Cemetery. Cremated remains graves are available at Hollybrook Cemetery, South Stoneham Cemetery and St Mary Extra Cemetery. These graves spaces are set aside for the purpose of the interment of cremated remains in a bio-degradable container. The number of cremated remains that can be interred in these graves is dependent upon the size of casket used but will not exceed four sets. The scattering of cremated remains either in the grave, on the memorial or in the area in front is not permitted.
- 4.14 If cremated remains are already buried in the grave space, before any further interments can take place it may be necessary to obtain an exhumation licence to move the remains before the burial can proceed. Bereavement Services staff can advise whether this is necessary at the time a booking or enquiry is made.

### **4.15 Burial excavation procedures**

When you arrive at the cemetery for a burial the grave will already be excavated and dressed with artificial grass matting. Requests for personal involvement during these procedures will be considered upon request. Cemetery Grounds Maintenance staff will remain discreetly in the background whilst the burial takes place and once the mourners have left the graveside will begin to backfill the grave using soil that has been placed nearby.

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On completion the soil will be mounded and any floral tributes placed on top of the soil, a marker detailing the name of the deceased and the grave number will be placed at the head of the grave.

Please be aware that at some point in the future other graves within the section will need to be excavated. Unfortunately it is not possible to remove all of the soil from the area and we will need to carefully cover the area adjacent to the grave and place the soil there. Where possible, graves with no memorials are chosen, however, you may find you are prevented from visiting your grave for a short period. After the funeral, the grave is backfilled with the soil, and the area is cleaned and left in a tidy condition.

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.

### **4.16 Grave reinstatement**

In the weeks following a burial the soil will compress and the mound will reduce. Once the soil has settled we will ensure that the grave is levelled before grass seed is applied.

Shrubs or trees are not permitted to be planted on any grave space, and the council reserves the right to remove them at any time.

### **4.17 Fees and charges**

A table of fees is available upon request. The Council reserves the right to revise these fees and charges.

## **5. Graves**

### **5.1 Purchasing a private grave space**

You can purchase burial rights at the time an interment takes place or in advance of an interment to reserve a grave space for use in the future.

When a grave is 'purchased' this refers to the purchase of the exclusive right of burial in the grave space and not the purchase of the land itself. This means that you do not own the land but have the exclusive right to say who can be buried in the grave.

In accordance with The Local Authorities Cemeteries Order 1977 all burial rights are issued for a fixed period. Southampton City Council currently issues them for a period of 30 years, from the date of issue, and you have the option to renew the rights at the end of this period.

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When you purchase burial rights you are issued with a Grant of Exclusive Right of Burial with details of the grave number and its location. The number of burials that can be accommodated in the grave space is not specified as this is dependent on the ground conditions at the time the grave is excavated.

## **5.2 Opening of a purchased grave**

Only the grave owner of the exclusive rights of burial can authorise the re-opening of the grave space by signing the interment form. If the owner is to be interred/scattered in the grave space the authority must be signed by the next of kin, the person who will prove the will, or such person as may be approved by the Registrar. If the registered owner is not available e.g. abroad, and cannot be contacted the grave cannot be reopened. If the owner is deceased it will be necessary to make arrangements to officially transfer the ownership prior to the requested opening of the grave and this can be done by contacting the Bereavement Services Office.

## **5.3 Unpurchased Grave**

Unpurchased graves acquire no rights, all rights being vested in the Council. All Unpurchased graves will be dug to accommodate two interments which may be of persons unrelated. No memorials are permitted on unpurchased grave spaces.

## **5.4 Temporary grave markers**

The council will provide at each funeral a basic temporary grave position marker showing the grave number and name of deceased only. In the case of a purchased grave space this marker will remain in position until the right to erect a memorial stone is applied for and installed or the right to place your own temporary marker on the grave for a 12 month period is applied for and obtained. No other item must be placed upon the grave space. These include plastic/wooden fencing, windmills, and glass vases etc.

## **5.5 Vaults/brick graves**

No new brick graves or vaults will be allowed to be constructed. Old vaults shall only be opened from the top unless the owner has also purchased the exclusive right of burial in the ground and the entrance.

## **5.6 Up-keep of private grave spaces**

All purchased grave spaces must be maintained to an acceptable standard by the grave owner.

The Council reserves the right to take over the maintenance without notice to the grave owner, of any grave space that has not been suitably maintained by the grave owner.

To avoid accidents and to retain a well-maintained appearance

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damaged/broken/discarded items found on all burials areas will be removed and disposed of.

### **5.7 Transfer of right of burial**

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

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

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

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

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

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

If you wish to transfer the rights of burial to a grave then Bereavement Services can assist with this procedure and provide advice on the documentation required, and the fees payable, to enable this to happen.

## **6. Exhumations**

Exhumations are generally rare and can occur for a number of reasons, including moving the deceased to a family plot or for repatriation overseas to be buried along with other family members.

It is an offence to carry out an exhumation, including that of cremated remains, without first obtaining the necessary lawful permissions.

We can provide help and advice on the licences and permissions required to carry out an exhumation from a grave within a cemetery administered by this authority.

We will ensure that exhumations are undertaken with decency and respect; sensitive to the needs of other cemetery users.

If the conditions of the licence cannot be met, or there are public health or decency concerns, the exhumation will not proceed.

## **7. Cemeteries**

### **7.1 Cemetery Maintenance**

Maintenance is carried out throughout the cemeteries. Taps and facilities to

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dispose of litter are provided at various locations throughout the cemetery grounds for your convenience.

Grass cutting is usually undertaken between March and October; however, spells of heavy rain can delay grass cutting and increase growth rates, often at the times, such as early summer, when the growth is at its fastest.

Grass cutting is restricted in some areas where unauthorised items, including kerbs and fences, have been placed on or around graves. Where there are such items, we will avoid mowing close to them, because of the risk of damage to equipment and exposure to glass or plastic fragments.

Southampton (Old) Cemetery is maintained in a way that preserves the diversity of flora and fauna. Grass cutting is carried out at different times of the year and at different frequencies to protect the species that have developed.

### **7.2 Behaviour in cemeteries**

All visitors to the cemetery must behave in a respectful manner and must not interfere with any burial taking place. Any person, who damages, defaces or destroys any property or causes any nuisance within the cemeteries will be liable to prosecution.

No demonstration of any kind shall be allowed within the cemeteries or any religious service other than the service at the time of interment, without prior consent of the Council.

### **7.3 Dogs**

Dogs must be kept on a lead at all times whilst in the cemeteries and owners are required to be considerate of the bereaved and other cemetery users and clean up after their dog (including faecal matter).

## **8. Cemetery Memorials**

8.1 Memorials can only be placed on purchased graves, no memorials are allowed on unpurchased graves. If a memorial is required on an unpurchased grave the exclusive rights of burial will need to be purchased at the current fee. To place a memorial on a grave the owner of the Exclusive Right of Burial must obtain a permit issued by Bereavement Services. In most cases the Stonemason supplying the memorial will provide you with the necessary application form and submit the application for a permit on your behalf. Purchase of an Exclusive Right of Burial / application for the erection of a memorial will not be permitted or accepted where an interment of an unrelated individual has already taken place in the grave space applied for. The Council's decision in relation to such matters, including whether or not an individual is treated as 'related' for the purposes of these Regulations will be final.

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- 8.2 If a grave is to be re-opened for further burials it is the responsibility of the owner of the burial rights to arrange for the memorial to be removed so that the grave can be excavated. Your appointed Funeral Director will usually organise this on your behalf.
- 8.3 Only Stonemasons who have registered with Bereavement Services and provided proof of their Public Liability Insurance are permitted to work within the cemeteries. The Mason will provide all tools and materials required for the erection of a memorial. After work on the erection of a memorial has commenced it must be continued during working hours until completion. All equipment and materials must be removed during weekends and Public Holidays. Memorials must not be fixed in unsuitable weather or whilst the ground is in an unfit state, the opinion of the Registrar in these respects being conclusive. With the consent of the owner, the mason may cut his name on the memorial but not his address or any other particulars.
- 8.4 Hewing and dressing of stoneware will not be permitted in the Cemetery except for inscriptions on an existing memorial, and all materials for memorials shall be conveyed into the Cemetery in a manner approved and directed by the Registrar.
- 8.4 All memorials are the sole responsibility of the owner of the Exclusive Right of Burial they are responsible for ensuring that the memorial is kept in a good, safe condition and the Council cannot accept any liability for repairing damaged or fallen memorials, or be responsible for any damage/theft or vandalism or any other circumstances beyond the control of the Council. The Council strongly recommends all grave owners obtain an appropriate insurance to protect the memorial from unforeseen circumstances. The Council will periodically inspect the safety of memorials. Any memorial classified as unsafe will be reported to the grave owner in order for them to arrange immediate repair, it is therefore important that contact details are kept up to date, and Bereavement Services must be informed of any change of address.
- 8.5 The Council reserves the right to:-
- Lay flat or make safe any memorial headstone that has been identified as unsafe.
  - Remove any unauthorised memorial from a grave.
  - Remove any memorial, which they deem objectionable or of unauthorised type or size.
- 8.6 No memorial shall be removed from the Cemeteries without the permission of the grave owner and without the consent of the Council.
- 8.7 Memorials and any associated stretcher or foundation stones removed for any interment must be taken away from the cemetery.
- 8.8 The fees payable to the Council for the right to erect a monument and to

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place inscriptions are set out in the current table of fees and charges which is available on request.

- 8.9 Only approved memorials will be permitted to be erected. The position of memorials will be subject to the approval of the Registrar.

### **9. Memorial permits**

The Memorial Mason will receive a permit notice allowing him to carry out the erection of, or alteration to, any memorial, or the cutting of an inscription. This permit must be signed by the owner of the Exclusive Right of Burial. No memorial or inscription will be admitted into the Cemetery without the consent of the Council given in writing on the official permit. 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.

It is a condition of the memorial permit that all memorials installed within the Cemeteries must first have the grave number and section letter clearly and conspicuously inscribed upon it before installation whether they are new or re-fixed. Memorial Masons that do not abide by this condition will be refused installation.

The Council will remove at the expense of the grave owner any memorial that has been installed without the necessary authorisation.

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**10. Size and construction of memorials**

Memorials and headstones can be made of natural granite, marble, sandstone, slate, limestone or other materials as approved by the Registrar. The council reserves the right to refuse permission for a memorial to be placed in any cemetery when the inscription, type or colour of materials used is out of character with the surrounding setting or is deemed inappropriate or offensive by the council.

**10.1 Adult and Premium graves**

An additional memorial to the main memorial can be of 2" in thickness.

<b>Headstone or other upright memorial</b>	Minimum size	Maximum size
Height	1'9"	5'
Width	2'6" (Premium Grave 3'0")	3' (Premium Grave 3'6")
Thickness	3"	6"

<b>Desktop tablets</b>	Minimum size	Maximum size
Height	6'	6' sloping to 2'
Width	2'	2'
Length	2'	2'

<b>Flat tablet/mousetrap</b>	Minimum size	Maximum Size
Thickness	2"	3"
Width/Length	2'	2'

<b>Base</b>	Minimum size	Maximum Size
Width	1'6" (Premium Grave 3'0")	3' (Premium Grave 3'6")
Depth (front to back)	1'	1'6"
Thickness	3"	6"

Where a memorial is not fitted to a base it shall be dowelled or joggled to the stretcher/foundation stone:-

<b>Stretcher/foundation stone</b>	Minimum Size	Maximum size
Width	3'4" (Premium Grave 3'10")	3'4" (Premium Grave 3'10")
Depth	1'6"	1'6"
Thickness	2"	-

<b>Kerbstone surround</b>	Minimum size	Maximum size
Length (size of post must be included in the overall size)	6'6" (Premium Grave 7'0")	6'6" (Premium Grave 7'0")
Width	2'6" (Premium Grave 3'0")	3' (Premium Grave 3'6")

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Thickness	6"	6"
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<b>One piece foundation for kerbs only</b>	Minimum size	Maximum size
Length	6'6" (Premium Grave 7'0")	7' (Premium Grave 7'6")
Width	2'6" (Premium Grave 3'0")	3' (Premium Grave 3'6")
Thickness	2"	-

<b>Cover Slab</b>	Minimum size	Maximum size
Thickness	1'5"	-

<b>Memorial Vase</b>	Minimum size	Maximum size
Overall dimension	-	1'

**10.2 Child graves**

<b>Headstone or other upright memorial</b>	Minimum size	Maximum size
Height	1'9"	4'
Width	1'6"	2'
Thickness	2"	6"

<b>Base</b>	Minimum size	Maximum Size
Width	1'6"	2'
Depth (front to back)	1'	1'4"
Thickness	2"	6"

Where a memorial is not fitted to a base it shall be dowelled or joggled to the stretcher/foundation stone:-

<b>Stretcher/foundation stone</b>	Minimum Size	Maximum size
Width	2'6"	2'6"
Depth	1'4"	1'4"
Thickness	2"	-

<b>Kerbstone surround</b>	Minimum size	Maximum size
Length (size of post must be included in the overall size)	4'6"	4'6"
Width	2'	2'
Thickness	4"	6"

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<b>One piece foundation for kerbs only</b>	Minimum size	Maximum size
Length	-	5'
Width	-	2'
Thickness	2"	-

<b>Memorial Vase</b>	Minimum size	Maximum size
Overall dimension	-	1'

**10.3 Cremated remains grave**

No kerb type memorials are permitted.

The area in front of the memorial base paving stone must be kept clear of all obstacles, plants, vases etc – no bedding out of this area is permitted, neither is it permissible to put any sort of surround around this area – any deviation from this will result in the articles being removed.

<b>Cremated Remains Grave Memorial</b>	Minimum Size	Maximum Size
Height	-	1'10"
Width	-	1'10"
Thickness	2"	-
Depth	-	1'10"