



CALLINGTON TOWN COUNCIL



Rules and Regulations

Callington Cemetery

Liskeard Road

Callington

Cornwall

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1. Introduction to the Rules and Regulations

Callington Cemetery is maintained and managed by Callington Town Council, this makes the Town Council the Burial Authority for Callington Cemetery. All Local Authority managed cemeteries are subject to standards and conditions known as Cemetery Rules and Regulations. These are designed to inform all cemetery users of the aspects of the management of the cemeteries and the reasonable requirements applicable to them.

The regulations include the statutory requirements contained within the Local Government Act 1972, the Local Cemeteries Order 1977 (LACO), and the Health and Safety at Work Act together with any other relevant legislations that governs this service.

Callington Town Council reserves the right to make alterations in or additions to these Rules and Regulations.

Interpretation of terms:

Throughout these Rules and Regulations:

“The Council” means Callington Town Council

“The Cemetery” means Callington Town Council Cemetery on Liskeard Road, Callington

“Private Grave” means any earthen grave where the Exclusive Right of Burial has been granted

“Memorial” means all memorials, headstones, tablets etc that are authorised to be permitted within the cemeteries

All enquiries should be made to the office staff at Callington Town Council offices.

2. Cemetery Office location

Callington Town Council
Town Clerk’s Office
New Road
Callington
Cornwall PL17 7BD

Tel: 01579 384039

Email: tina.morris@callington-tc.gov.uk

Opening hours: Monday – Friday 9.00am – 2.00pm.

3. Cemetery Opening Hours

The Cemetery is open to the public 24 hours a day, 7 days a week for the purpose of visiting or tending a grave. The Town Council reserves the right to close the Cemetery as and when the necessity arises.

Vehicular access to the Cemetery is limited and we please ask that vehicles are NOT parked on the grass areas. When turning vehicles around, please be mindful not to drive on the grass or kerb stones.

Dogs are NOT permitted in the Cemetery grounds, with the exception of service dogs.

4. Removal of floral arrangements

Flowers or wreaths may be laid on a grave for a period of eight weeks following an interment. Christmas wreaths may also be laid upon a plot but should be removed by February 1st in the following year.

After eight weeks from the date of interment any flowers or wreaths should be removed to enable the Cemetery to be kept neat and tidy. Should any additional vases or wreaths then remain on the grave they will be removed with the Council's authority. Monuments with flower containers may be erected if Exclusive Rights have been purchased and application has been made for a memorial. [See Regulations on Memorials].

The Council reserves the right to remove any temporary container or markers or growing plants which are causing obstruction to maintenance.

All refuse, trimmings, dead flowers etc., to be placed in the bins provided or removed from the site.

Good quality artificial flowers are permitted. Glass, plastic or reflective materials, photographs, candles, solar lights, toys, memorabilia or mementos are **not** permitted. The erection of any structure on the grave site is **not** permitted. The Town Council will contact the grave owner requesting removal of such items but it reserves the right to remove any items that are not permitted.

Persons using the watering cans provided are requested to return them to the collection points.

5. Purchase of new, private grave or ashes grave

New graves are allocated in strict rotation and are not available for selection. The position of a new grave is managed by the Burial Authority. Burials will only be allowed in designated areas previously laid out for burial.

The Burial Authority permits advance purchase/reservation of any type of grave.

6. Interments in a burial or ashes grave

All requests for interments must be made by the Funeral Director with the appropriate Burial Application form completed at least **3 working days** prior to the interment

The Burial Authority shall not be responsible for any discrepancies, errors or omissions in any Burial Application.

Any form of religious service can be used, but any other ceremony is subject to the approval of the Burial Authority. Alternatively, the coffin may be committed without a service.

No burial can take place without a "Certificate of Disposal" (Green Form) or the "Coroners Order for Burial". The appropriate documentation must be provided to the Office before the interment can take place. Failure to provide the necessary documentation will result in the delay of the burial until the paperwork is produced and no interment will take place unless the Certificate of Disposal is produced.

In the case of interment of cremated remains (ashes), the "Certificate of Cremation" is required for burial purposes. This is provided by the Crematorium where the funeral took place.

No interment will be permitted unless the body of the deceased person is contained in a degradable coffin considered suitable for burial. Suitable coffins are normally constructed of a solid wood or wood composite material.

Metal coffins are not allowed.

No body or cremated remains (ashes) may be removed from a grave without the production of a letter of consent from the Secretary of State, or the ecclesiastical faculty and/or Justice of the Peace. A formal letter of consent or licence for exhumation is required by law. Original documents will be required for this purpose.

7. Burial excavation procedures (Grave Digging)

All graves will be excavated by trained personnel. No grave shall be dug or excavated by any other person unless appointed by a Funeral Director. Callington Town Council does not provide grave digging facilities.

The final dressing of the grave space will normally be completed one hour before the cortege is expected to arrive. Grave diggers are requested that all vehicles and machinery is removed out of sight of the graveside while the burial takes place out of courtesy for the mourners.

Adjacent grave spaces affected by the interment will be fully reinstated to their original appearance after the interment has been completed.

The Council reserves the right to delay or re-schedule a funeral if any part of the burial area or excavated grave becomes unstable or dangerous due to severe weather or other naturally occurring instances or acts of god.

Grave diggers and other contractors must be suitably qualified and covered by Public Liability Insurance and Accident Insurance. Contractors must be dressed appropriately for working in a Cemetery environment and must wear appropriate PPE suitable for the work being carried out. Contractors are requested to be respectful of the Cemetery environment and not behave inappropriately or play loud music. They should also be Risk Assessments and Method Statements for each contractor must be submitted to the Council office.

8. Grave Reinstatement

After an interment has taken place, the grave will continue to settle for approximately 12-14 months or longer depending upon soil/weather conditions. During this time, Council Grounds staff will level the grave with topsoil as and when required to maintain a constant level conducive with the surrounding area.

Graves can settle unexpectedly during prolonged periods of rainfall or extreme weather conditions. If this happens, arrangements will be made to level the grave as soon as possible.

9. Interment of cremated remains

The burial of cremated remains is allowed in a new grave or existing grave spaces in the Cemetery. Ashes are usually interred in graves in the New

Garden of Remembrance, however, they are permitted to be interred in burial graves providing there is adequate space to do so without disturbing any coffin that may be buried there. Where a further full coffined burial is likely to take place in the future, the cremated remains casket will be positioned to a sufficient depth to ensure that the casket is not disturbed in any way.

Cremated remains (ashes) will be interred in caskets or other approved containers in burial graves or graves in the New Garden of Remembrance.

10. Scattering of cremated remains

Scattering of cremated remains on an existing grave, either burial or ashes grave is permitted. Turf must be raised before scattering and replaced on top of ashes before leaving the graveside.

11. Exclusive Right of Burial

On the purchase of a private grave space, the Town Council will issue a document entitled "Exclusive Right of Burial" or "Exclusive Grant". This document is proof of ownership and MUST be kept in a safe place. Before any burial can take place in the purchased grave, this document must be produced as proof of purchase.

Upon the expiry date of the grave deed, the ownership of the grave space will revert to the Council if the family or owner of the Exclusive Right of Burial has expressed no desire to extend the grant period. However, families will have the option of extending this grant for a further period of time with an additional payment of a fee.

12. Transfer of Exclusive Right of Burial

The grave owner (whilst living) may transfer the Exclusive Right of Burial in a grave space, subject to the proper notice of such transfer being given to the Council. The appropriate transfer form can be obtained from the Town Council Office. It will need to be completed by both parties before being signed and witnessed in the presence of a solicitor or magistrate. The form should then be sent or taken to the Council Office with the appropriate fee, if payable. The Council will then register the transfer and endorse a note on the grant.

No grave shall be opened without the signature of the owner of the Exclusive Right of Burial, or his/her next of kin or assignees.

In the event of the death of the original grave owner, the person claiming the ownership rights must first obtain legal letters of administration or notice of probate from a magistrate's court before formal transfer of ownership with the Council can be arranged. There will be no exception to this.

The formal transfer must take place before funeral arrangements are made to reopen the grave space or approval granted on any proposed memorial work.

13. Memorials

There is no obligation to erect a memorial on a grave and the Council do not appoint or nominate contractors to provide memorials. The right to erect a memorial rests with the Exclusive Right of Burial (EROB) deed holder.

Applications for memorials are usually made through your funeral director or a monumental mason. These persons should have the appropriate forms for making the application.

The Council will charge a permit fee to erect any memorial (ie. headstone or tablet). There is no charge for adding an inscription although a permit application will need to be submitted to the Council.

The name, address and signature of the person placing the order for the memorial work to be undertaken must be the owner of the Exclusive Right of Burial. No other signature will be accepted.

If the owner of the EROB is deceased, the applicant must make an application to transfer the exclusive rights or, on production of proof of identity, make application as the Legal Personal Representative for the deceased.

Application for the approval to place a new memorial or tablet in the Cemetery, alter or add any inscription, or replace, add to or remove from the Cemetery any memorial or tablet, must be submitted to the Council on the appropriate Memorial Application form provided by the Council.

A memorial may only be erected on a grave space within the Cemetery subject to obtaining the Council's permission and upon payment of the appropriate permit fee.

Drawings of all proposed memorials with details of materials to be used, inscriptions and method of anchoring must be submitted on the correct application form to the Council.

Memorial applications will only be accepted from reputable Memorial Masons. The Council reserves the right to refuse permission for a memorial to be

placed in the Cemetery when the memorial/inscription is deemed to be unsuitable.

Anyone erecting a monument or tablet or who undertakes any memorial work within the Cemetery not in compliance with these regulations will be required to remove the said memorial or tablet and pay all costs involved. All memorials must comply with BS8415 where applicable.

Any unauthorised memorial or tablet will be removed by the Council in accordance with Article 14 of the Local Authorities Cemetery Order 1977 (LACO), and shall be at the expense of the grave owner or their personal representatives.

Only one monument per grave is permitted.

14. Memorial Specifications

All applications for memorials must be made on the forms obtainable from the Town Council.

Only monuments of the dimensions specified below shall be placed on a grave plot and for the avoidance of doubt, it is specifically confirmed that any such monument, vase or memorial shall only be placed at the head of the plot and in no other position thereon. Granite headstones and tablets only will be permitted, those made from a composite material will **not be** permitted. Special permission from the Council is required for photographs to be placed on a headstone. Coloured lettering will be permitted but approval must be stipulated on the application form.

Headstones not exceeding 2 feet 6 inches by 2 feet set in a base 3 feet by 1 foot at ground level [the erection of any other form of design of monument must be submitted to the Town Council for approval, the decision of the Council being final and binding].

A tablet set at ground level [the dimensions of a tablet set at ground level in the new Garden of Remembrance shall be 12" X 12" at base slab and tablet size also 12" X 12", 4" in height at the rear thereof 6" in height at the centre, sloping to 2" at the front, colour of all tablets to be as existing]

A licence for a memorial will be granted for a total period of 30 years. The said licence MUST be renewed every five years by returning the licence to the Council Office for signature. It is the applicant's responsibility to ensure that the licence is renewed.

15. Memorial Maintenance

The Town Council reserves the right to repair, reposition or lay down memorials that cause concern.

A minimum period of six months should elapse between the burial of a person to be commemorated and erection of a memorial. The grave should be levelled at this time if not already done. This would not apply to cremated remains.

The maintenance of all monuments, vases and memorials remains the duty of the Personal Representative or family of the deceased but the Town Council will be responsible for the mowing of all grass within the Cemetery. Defects which require attention will be reported to the family wherever possible. The actual refurbishment of monuments etc. and the rectification of subsidence problems do not fall within the scope of the service provided.

Relatives are advised to ensure that monumental masons provide an adequate guarantee regarding the stability, durability and safety of the monument.

No advertisement or trademark may be inscribed on the face of a gravestone. The mason's name may be inscribed at the side or on the reverse in unleaded letters, no larger than 13 mm (half inch) in height. Monumental Masons are requested to cut the plot number into the back of any monument or vase. Any temporary marker should be removed from the plot upon erection of the monument.

Following the completion of works by funeral directors, monumental masons or other persons all bricks, stones, spare soil and other rubbish shall be removed and the grave plot or Garden of Remembrance shall be left in a neat and proper condition.

Funeral directors, monumental masons, contractors and visitors will be held liable for all damage done to the Cemetery or anything therein by themselves or their agents or workmen.

The Council will not be responsible for any damage/theft or vandalism or any other circumstances beyond the control of the Council.

All memorials shall be kept in good repair by the owners, and in the event of any memorial falling into disrepair and the necessary repairs not being carried out within 3 months after notice from the Council, the memorial may be

removed by the Council subject and in accordance with the provisions of Schedule 3 to the Local Authorities Cemetery Order 1977 (LACO).

The Council recommends grave owners to obtain an appropriate insurance to protect the memorial from unforeseen circumstances where possible.

16. Cemetery Registers and Plans of the burial grounds

The Registers and database of all burials and plans of the Cemetery are kept at Callington Town Council offices.

As soon as reasonably practicable, all details relating to a burial are recorded within the Registers and database.

Members of the public are welcome to come and peruse the burial Registers and to see the plan of the Cemetery to locate a plot. Council staff will assist with this where possible.

17. Allowance of dogs in the Cemetery

Dogs (with the exception of Service Dogs) are **NOT** permitted in the Cemetery.

18. Conduct within the Cemetery

All vehicles should park considerately within the Cemetery and NOT on the grass areas. Please park carefully particularly if there is a funeral in progress. Neither the Council or any of its employees can accept responsibility for the loss of or damage to any vehicle or its contents whilst within the Cemetery.

All visitors are asked to keep to the footpaths and driveways whilst attending a grave and generally respect the Cemetery at all times. In particular, visitors are asked not to pull or cut shrubs or flowers growing within the Cemetery or to interfere with any grave or memorial.

To respect the needs of others, visitors and contractors are asked not to wilfully create any disturbance in the Cemetery or behave in such a way that may be a nuisance to others. Playing games or sports is not permitted. The playing music, other than at the graveside during an interment, is not permitted. Visitors and contractors are requested to wear appropriate clothing whilst visiting the Cemetery.

The Council reserves the right to exclude any person from the Cemetery.

Children under the age of 14 are not normally permitted in the Cemetery unless they are accompanied by a responsible adult.

We welcome enquiries from all people irrespective of race or religion. Wherever possible, we will strive to accommodate any specific requirements. However, on some occasions, this may not be possible.

19. Filming

Filming or recording within the Cemetery boundary is not permitted unless prior agreement is obtained from the Town Council. The Council requires the right to charge a fee for filming and recording within the Cemetery grounds.

20. Miscellaneous

To avoid accidents and to retain a well maintained appearance, damage/broken or discarded items found on all burial areas will be removed and disposed of.

No memorial benches are to be installed at the Cemetery without the permission of the Council. Maintenance of such benches remain the responsibility of the owner. The Council reserves the right to remove any bench that is in a state of disrepair or is damaged.

Employees of the Council are not permitted to request or receive gratuities.

The Council reserves the right from time to time to make alterations, additions and amendments to these Rules and Regulations, and the fees and charges specified herein. These rules and regulations will be reviewed at least once a year.

21. Cemetery Chapel

The Cemetery Chapel can be used for funeral services. Funeral Directors are requested to give the Council the suitable notice for use of the Cemetery Chapel, to enable the Town Council to prepare it for a service. A fee will be charged for this.