

## REVIEW OF THE CEMETERIES REGULATIONS

### 1. INTRODUCTION

- 1.1 The Council is responsible for 7 operational cemeteries within the boundary of the New Forest, these are located at: Eling, Blackfield, Beaulieu, Lymington, Sway, New Milton and Milford Road.
- 1.2 The Council is also responsible for 2 closed cemeteries which are located at Hythe and Hordle Cliff. Although these cemeteries are closed for burial the Council still has an obligation under law to keep these in good order.
- 1.3 Certain Town and Parish Councils within the District are also Burial Authorities in their own right or have closed cemeteries which they have an obligation to maintain, these have been identified as: Ringwood, Fordingbridge, Lyndhurst, Totton, Sopley, Brockenhurst and Woodgreen.
- 1.4 In June 2005 the Council's Environmental Review Panel considered the current cemetery regulations and recommended that they should be approved by Cabinet. This was subsequently agreed on 1 March 2006 (Minute 115 refers). Previously the regulations had been approved by the Environmental Services Committee on 1 March 1979 and subsequently amended by the same Committee on 19 January 1995.
- 1.5 On 27 March 2009 the Environment Review Panel considered revised regulations following work undertaken by a small task and finish group comprising officers and members from the Environment Review Panel.
- 1.6 The report identified that the existing cemetery regulations going back to 1979 had been written with a clear policy of enforcing lawned cemeteries in all 7 cemeteries, however what was actually happening on the ground did not reflect this as there was a significant issue at both Eling and Blackfield cemeteries regarding the type of floral gardens, tributes, fencing, solar lights and windchimes.
- 1.7 It was also clear from communications made to the Cemeteries Office that, while some people liked the windchimes and solar powered lights, a significant number of people did not.
- 1.8 The Environment Review Panel agreed at their meeting held in March 2009 the revised generic cemetery regulations for five of the cemeteries as well as separate regulations for Blackfield and Eling due to the historical custom and practice which has been allowed to develop at these two cemeteries.

### 2. LIAISON WITH THE TRAVELLING COMMUNITY

- 2.1 Following the Environment Review Panel on the 27 March 2009 it was intended to amend the cemetery regulations taking on board the comments made during the debate and submit them to Cabinet for approval.

- 2.2 Following the publicity that arose from the meeting on 27 March 2009 this Council was approached by one of Hampshire County Councils Gypsy Liaison Officers. That Officer had been approached by members of the travelling community who were concerned about issues relating to their culture that may be compromised if the changes were to go ahead.
- 2.3 A meeting was held at Appletree Court on 1 June 2009 between the Head of Environment Services, the Cemeteries and Amenities Officer, the Council's Equalities Manager, the County's Gypsy Liaison Officer and representatives from the gypsy and travelling community. Concerns were raised by the travelling community as to the implications of the new regulations for them, as they would not be able to pay their respects to loved ones who are laid to rest in New Forest Cemeteries in keeping with their culture and traditions.
- 2.4 Following the meeting the representatives from the travelling community took away the proposed Cemetery Regulations that had been agreed with the Environment Review Panel and undertook to discuss these with their wider community.
- 2.5 A further meeting was held on 21 July 2009 to discuss the issues that had come to light following the discussions with the wider travelling community regarding the proposed regulations. The points raised at this meeting included -
- 2.5.1 Due to their culture there is a need to place floral tributes on the whole of the grave space. These tributes need to be changed regularly, especially on birthdays and other significant anniversaries.
- 2.5.2 The need to identify those buried with authorised traditional headstones.
- 2.5.3 A burial ground is a place of respect. The travelling community feel that this includes those walking over graves and touching headstones. The erection of fences and other barriers is seen as a means to protect the grave from those who disrespect it.
- 2.5.4 The Travelling Community agreed with the Council's view that the use of windchimes, solar lights and items which are a hazard, such as broken glass fragments, should not be used in a cemetery.
- 2.5.5 The Community also requested the opportunity to maintain their own graves to a very high standard which would be carried out directly by members of the immediate family.
- 2.6 Following the second meeting it was clear that there was a greater understanding from both groups as to the issues that were being faced.
- 2.7 When considering these issues the Local Authority Burial Order section 5-1-b states that "a burial authority may if they think fit set apart for the use of a particular denomination or religious body any part of the cemetery which has not been consecrated". Currently the only provision under this order that we have is for Roman Catholics where specific areas are provided for in all of our cemeteries.

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- 2.8 At the meeting of the Environmental Review Panel in September 2009 the cemetery regulations (attached at Appendix 1) were discussed with members of the Gypsy and Travelling community present. The representatives had a worthwhile contribution to the meeting and highlighted areas where they felt that the regulations could be amended to address the cultural needs of their community. Also at the meeting there was a discussion regarding floral tributes in woodland areas.
- 2.9 During the period of time that it has taken to review these regulations a memorial garden has also been constructed at Blackfield Cemetery, these revised regulations also include reference to this.
- 2.10 The final version of these regulations (see Appendices 1 and 2) were debated at a meeting of the Environmental Review Panel on 11<sup>th</sup> March 2010 where the panel recommended to the Portfolio Holder for Environment that these should now approved by Cabinet.

### **3. ENVIRONMENTAL IMPLICATIONS**

- 3.1 The provision of cemeteries is often important for local communities as the provision, maintenance and appearance often attract much comment, therefore it is important for the Council to continue to move forward with its cemeteries service as not only do they play a key role and an important service for residents, they also act as informal open space provision for the local community.

### **4. EQUALITY AND DIVERSITY**

- 4.1 The cemeteries are provided for the community as a whole with many faiths and age groups visiting all 7 of our cemeteries. The primary users of this service are the elderly and the infirm who are usually visiting loved ones who they have lost. Therefore we must ensure that the cemeteries are accessible to visitors but especially the elderly and infirm.
- 4.2 It is important that we acknowledge the views of the Gypsy and Travelling community and where possible identify areas in our cemeteries where culturally we can work with this community.
- 4.3 See section 2.8 of the report regarding provision.

### **5. FINANCIAL AND CRIME & DISORDER IMPLICATIONS**

- 5.1 There are none arising directly from this report.

### **6. PORTFOLIO HOLDER COMMENTS**

- 6.1 The Environment Portfolio Holder fully supports the recommendations contained in this report.

## 7. RECOMMENDATION

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- 7.1 That, following the consultation with the Gypsy and Travelling community, Members are requested to approve the revised regulations as set out in Appendices 1 and 2;
  - 7.2 That the revised regulations as set out in the appendices include the amendment to the Woodland areas to allow one floral tribute and a memorial plaque; and
  - 7.3 That the Cemeteries at Eling and Blackfield have separate regulations as set out in Appendix 2 to reflect the nature of those specific cemeteries.

### **For Further Information Please Contact:**

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### **Background Papers:**

Environment Review Panel  
March and September 2009



## **CEMETERY REGULATIONS**

**ENVIRONMENT SERVICES**

**Month 2010**

**THESE REGULATIONS WERE APPROVED BY THE CABINET COMMITTEE OF THE NEW FOREST DISTRICT COUNCIL ON .....Insert Date AND WITH IMMEDIATE EFFECT SUPERSEDE ALL PREVIOUS REGULATIONS.**

DRAFT

## 1. INTRODUCTION

- 1.1 New Forest District Council is responsible for seven cemeteries situated at the following locations:

Beaulieu Cemetery, Grindstone, Beaulieu, SO42 7XP  
Blackfield Cemetery, Exbury Road, Blackfield, SO45 1XE  
Eling Cemetery, Eling Hill, Eling, SO40 9HF  
Lymington Cemetery, Highfield Road, Lymington, SO41 9JH  
Milford Road Cemetery, Milford Road, New Milton, BH25 6PW  
New Milton Cemetery, Gore Road, New Milton, BH25 6RR  
Sway Cemetery, Brighton Road, Sway, SO41 6EB

- 1.2 The Council's regulations have been formulated to ensure that the cemeteries remain neat and tidy and pose no safety risk to either visitors or operatives. The regulations should be observed at all times.
- 1.3 Any organisation carrying out works within the cemeteries identified in 1.1 above must be registered under the Council's Memorial Masons and Funeral Directors Registration Scheme.
- 1.4 With the exception of some older sections the cemeteries are predominantly 'Lawn Cemeteries'. The lawn grave was designed on the war grave principle (to have only a memorial of limited size at the head of the grave with the rest of the grave laid to lawn). In this manner the limited area available for burial is best utilised. However floral tributes may be placed in the area immediately in front of the permitted headstone area but not exceeding 400mm.
- 1.5 In designated Lawn sections of the cemeteries no edging stones or ornamental fencing, of any type, are permitted on any grave. The Council reserves the right to remove unauthorised items placed on graves to facilitate grounds maintenance, excavation operations and also on the grounds of Health and Safety.
- 1.6 Beaulieu and Lymington Cemeteries each have a Chapel in which a service can be held prior to an interment taking place.
- 1.7 Beaulieu, Eling and Milford Road Cemeteries each have an area for woodland burials.
- 1.8 Notices are placed at the entrance to each cemetery with the contact telephone number and address of the Cemetery Office.
- 1.9 The selection of grave spaces, both for interments and for pre purchase, is subject to the approval of the Head of Environment Services.
- 1.10 The Head of Environment Services decision shall be final in all matters relating to the management of the Cemeteries.

## 2. **CEMETERY OFFICE**

2.1 Any queries or comments regarding the cemeteries should be sent to: New Forest District Council, The Cemeteries Office, Environment Services, Town Hall, Avenue Road, Lymington, Hampshire SO41 9ZG

Tel: 023 8028 5952 Fax: 023 8028 5755  
e.mail: cemeteries@nfdc.gov.uk

2.2 The Cemetery Office will be open for business during the following hours:

Monday to Thursday	08.45 to 17.15 hrs
Friday	08.45 to 16.45 hrs

2.3 The cemeteries office is not open on Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday, Public Bank Holidays or any other day when the Council offices are closed.

2.4 Registers of Burials, and associated plans, are available at the Cemetery Office during normal working hours. Searches of the records may be made, and certified extracts obtained, upon payment of the appropriate fee. The system used to record this information is currently under review in order to provide future access using electronic technology.

2.5 A copy of the current Fees and Charges [leaflet](#) is available from the Cemetery Office upon request. Details may also be obtained by visiting our web site address [www.nfdc.gov.uk](http://www.nfdc.gov.uk), click on Advice and Benefits, click on Bereavement and Burials, Click on Cemeteries. Fees and Charges are then shown as an attachment.

### 2.6 **Former Resident Fees**

The Interment fee charged for a former resident who resided outside the District boundary for a period of less than two years immediately prior to their demise will be as for a resident. Former residency status should be declared at the time of booking and supplied in writing with the interment application form.

All other fees charged to a former resident of New Forest District Council will be charged at the appropriate rate as detailed in the Councils Fees and Charges.

## 3. **ADMISSION TO CEMETERIES**

3.1 The cemeteries are open to the public daily.

3.2 Vehicular access is permitted in Eling, Lymington and Sway Cemeteries providing that vehicles travel on the main drives and not across the areas of grass. A speed limit of 5mph is in operation in all the cemeteries administered by New Forest District Council and applies to all modes of transport without exemption.



- 3.3 In the interests of safety cyclists are requested to keep to the main pathways.
- 3.4 Dogs are permitted within the cemeteries providing they are on a leash and are kept under proper control. All dog fouling should be removed in the appropriate manner and placed in the litter bins provided.
- 3.5 Visitors are requested to deposit litter and spent flowers in the bins provided.
- 3.6 All persons shall conduct themselves in a respectful and orderly manner and are reminded of Article 18(1) of The Local Authorities' Cemeteries order 1977 whereby 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 memorial, or any flowers or plants on any such matter;
  - or Play at any game or sport in a cemetery.
- 3.7 No person shall interfere with the Council's employees in their duties nor employ them to plant graves or execute any private work whatsoever and employees are not authorised to receive any gratuity.
- 3.8 Damage caused to any boundary wall, fence, ground, paths, memorial, or to any other part of the Cemetery must be repaired to the satisfaction of the Head of Environment Services by the party causing the damage. Details of these repairs should be submitted in writing to the Head of Environment Services for approval prior to these works being carried out.

#### 4. HOURS OF INTERMENT

- 4.1 Burials are permitted Monday to Friday (excluding Christmas Day, Boxing Day, Good Friday, Public Bank Holidays or any other day when the Council Offices are closed). Special provision can be made for interments on a Saturday upon payment of the appropriate fee.
- 4.2 All burials will take place between:
- 09.30 hrs - 15.00 hrs throughout the year

#### 5. NOTICE OF INTERMENT

- 5.1 A provisional booking must be made through the Cemetery Office prior to the submission of any formal papers and/or payment of fees, to ensure the requested date and time is available.
- 5.2 All Notices of Interment must be completed and signed, where applicable, by the owner of the Exclusive Right of Burial on the forms provided by the Council, and delivered to the Cemetery Office between the hours of 09.00

and 16.00 Monday to Friday, at least forty eight working hours before the date and time of interment. When the owner of the Exclusive Right of Burial is deceased the executor/nearest relative should arrange for the ownership to be transferred to the new legal owner. Advice and assistance on this procedure may be obtained by contacting the cemeteries office.

- 5.3 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 should be made to the New Forest District Council.
- 5.4 The relevant certificate from the Registrar of Births & Deaths, Coroner or Crematorium, must accompany the Notice of Interment. No interment will take place unless the certificate for disposal is produced 48 working hours prior to the day of the interment.
- 5.5 The exact size of the coffin or casket (l x w x h) and the materials used must be given on the Notice of Interment.
- 5.6 If an interment is to take place in a grave for which the Exclusive Right of Burial has been purchased the Grant of Right must be produced. If this is mislaid, a Statutory Declaration or other evidence of such loss satisfactory to the Council is required. In all cases the Grantee/Successor must sign the declaration on the Notice of Interment.
- 5.7 No interment shall take place in a new single depth grave unless the Exclusive Right of Burial for that grave is purchased at the time of the interment. Single depth interments will only be permitted when the Exclusive Right of Burial has been purchased, or the ground conditions are not suitable for deeper graves.
- 5.8 All double depth graves for which the exclusive Right of Burial has not been purchased at the time of the interment will be known as Unpurchased Graves. New Forest District Council reserves the right to reuse these graves for future interments after a suitable period of time has elapsed.

## 6. EXCLUSIVE RIGHT OF BURIAL

- 6.1 The owner of the Exclusive Right of Burial shall fully comply with the Cemetery Regulations ensuring that the grave is maintained in a safe condition to the satisfaction of the Head of Environment Services.
- 6.2 The Exclusive Right of Burial for graves can be purchased for a fifty year period. This is renewable at the end of the period upon payment of the appropriate fee.
- 6.3 The Exclusive Right of Burial can be purchased in advance of a burial taking place or at the time of burial subject to the approval of the Head of Environment Services.

- 6.4 The Exclusive Right of Burial entitles the deed holder to determine who is buried in the grave and whether a memorial (subject to approval by the Head of Environment Services), can be erected on the grave. [It does not extend to possession of the land, which remains in the ownership of New Forest District Council .](#)
- 6.5 A grave space may not be reserved unless the relevant fee to purchase the Exclusive Right of Burial has been paid in full.
- 6.6 The owner of the Exclusive Right of Burial may transfer the ownership to any other person upon payment of the appropriate fee.
- 6.7 After the death of the owner of the Exclusive Right of Burial the personal representative should produce to the Authority the Grant of Probate, Grant of Letters of Administration or other legal documentation so that the change in ownership can be registered in our records.
- 6.8 The owner of the Exclusive Right of Burial may erect a memorial on a grave space subject to the payment of the appropriate fee and subject to section (9) of the Regulations. [The type or memorial permitted is determined by the type of section the grave space has been purchased in.](#)
- 6.9 Where no interment has taken place in a purchased grave the Council may agree to repurchase the grave at a fee not exceeding the original purchase price [and proportional to the years remaining on the Grant.](#)
- 6.10 Persons interring in unpurchased graves acquire no rights. New Forest District Council reserves the right to re-use these graves for future interments after a suitable period of time has elapsed.

## 7. EXCAVATION OF GRAVES

- 7.1 Grave spaces for those persons above 12 years of age shall be at least 2400 mm (8') x 1200 mm (4') and for those under 12 years of age at least 1200 mm (4') x 1200 mm (4').
- 7.2 No body shall be buried in a grave so that any part of the coffin is at a depth of less than 900 mm (3') below the level of the ground adjoining the grave.
- 7.3 No body shall be buried in a grave unless the coffin is separated from any other coffin already in that grave by the means of a layer of earth not less than 150 mm (6") thick.
- 7.4 Interment shall only take place in a grave for which the Exclusive Right of Burial has been purchased where the owner has given consent, in writing, to the Head of Environment Services on the Notice of Interment. Such consent must contain the grave number.
- 7.5 Where any grave is re-opened for the purpose of making another interment no person shall disturb any human remains or remove any soil that may be offensive. After a coffin/container/shroud 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. This includes disturbing the earth/turf following the scattering of Ashes.

- 7.6 Where a burial has taken place the grave shall be entirely backfilled and made tidy on the day of the funeral and, as soon practicable, be covered with fresh turf. Once the turfing has taken place, turf shall not be removed except for additional interments, exhumations or the placing of authorised headstones. Removal of turf for reasons other than previously stated will entitle the Council to take steps to recoup the cost of replacing the said turf.

## 8. SCATTERING OF CREMATED REMAINS

- 8.1 The scattering of cremated remains can only take place with the permission of the registered Exclusive Right of Burial holder and the Head of Environment Services. The Council's cemetery operatives will remove a small area of turf of a previously purchased grave and the remains will be scattered on this area. The turf will then be replaced over the remains. An ashes plot may also be purchased for this purpose.
- 8.2 A Notice of Interment must be completed, certificate presented and all fees and charges paid before scattering can take place.

## 9. MEMORIALS

- 9.1 Memorials may be erected on graves only if the Exclusive Right of Burial for the grave has been purchased. When the grave is within a designated lawn section of the cemetery a memorial headstone only is permitted, any other memorabilia will be removed by the Council. The Council will attempt to notify the Grant holder prior to the removal, however on occasion this may not be possible.
- 9.2 No memorial shall be erected on any grave without the prior approval of the Head of Environment Services. Any unauthorised memorials may be removed following notification to the Grant Holder giving 14 days notice to remove from the cemetery.
- 9.3 Application to erect a memorial/cut an additional inscription must be made, in writing, on a form provided by the Cemetery Office and signed by the registered owner of the Exclusive Right of Burial. The form should be submitted with a drawing showing dimensions, proposed inscriptions and a description of the type of materials to be used. Full construction details and fixing, including length and diameter of dowels and diameter and depth of drill holes plus the size of the foundation, should also be included to facilitate all future memorial inspections which the Council are legally obliged to carry out.
- 9.4 The Council reserves the right to exclude any memorial that would in any way disfigure the cemetery or which is considered unsuitable in design. It also reserves the right to refuse any inscription, which it considers may cause offence.

- 9.5 All memorials erected shall be kept in good repair by, and at the expense of, the owner. 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 will seek reimbursement from the Grant Holder/[successor in title](#) for the whole of the costs of these works. Similarly should a memorial fail the statutory inspection the headstone will be repaired by the owner at the expense of the owner.
- 9.6 Where an area of the cemetery is designated as a [Formal Lawn Cemetery](#), no memorial, other than a headstone not exceeding 1350 mm (4'6") in height, 750mm (2'6") wide and 450mm (1'6") in depth shall be permitted to be erected. Flower vases must be an integral part of the memorial or, if removable, be placed no more than 400mm in front of the permitted headstone area.
- 9.6.1 No flowers or plants are permitted to be planted either side of the grave space.
- 9.6.2 No edging stones or ornamental fencing of any type, are permitted on any grave within a designated lawn section of the cemetery.
- 9.6.3 No ornaments or decoration are permitted including:- windmills statues, solar lights and items that emit noise and/or light . Any items placed outside the permitted 400mm area will be removed immediately.
- 9.7 Where an area of the cemetery is designated as an [Informal Lawn Cemetery](#) a headstone not exceeding 1350mm (4'6") in height, 750mm (2'6") wide and 450mm (1'6") in depth shall be permitted to be erected, however additional memorabilia of a more temporary nature such as plant pots may only be placed along the grave space on the understanding there may be on occasion the need for our operatives to move them, without prior notice, to the head of the grave space to allow both access to other graves and also for routine maintenance works to be carried out. It will be the responsibility of the grave owner to return these items to their prior location on the grave space.
- 9.8 Memorials placed within the cremated remains sections must not exceed 550mm (22") in width, 550mm (22") in depth and 450mm (18") in height, [and should be fixed to the paving supplied](#)
- 9.9 All memorial headstones erected must, on the reverse of the base, show the grave number and the trade name (only) of the stonemason/funeral director installing the stone. The lettering used must be 13mm (1/2") uniform height and placed on the left hand side of the base, 150mm (6") above ground level. No other Inscriptions or drawings are permitted to be shown on the reverse side of the headstone
- 9.10 Memorial benches, [trees](#) and [woodland area plaques](#) may only be purchased from the Council and will be installed/planted, at a location allocated by the Cemetery Officer, on payment of the appropriate fee. Any items attached or suspended from these memorials will be removed.



## 10. FIXING MEMORIALS

- 10.1 The person responsible for erecting, fixing or transporting the memorial must provide to the Head of Environment Services details of qualifications together with public liability and professional indemnity insurance. Once these have been received and are to the satisfaction of the Head of Environment services then this person or company will be entered onto an approved list which will be reviewed annually. The approved person must provide all necessary tools, equipment and labour necessary for that purpose.
- 10.2 The person responsible for erecting or removing a memorial must remove all surplus earth or debris from the grave site and leave the whole area in a neat and tidy condition. They shall use such means as may be necessary to protect the grass, plants and nearby graves from damage. Surplus soil only may be disposed of in the designated soil bays, all other waste including concrete and granite etc must be removed from site. [The cemetery litter bins should not be used for this purpose.](#)
- 10.3 Suitable foundations must be provided in order to prevent memorials from sinking or tilting. All memorials erected in the cemetery must comply with BS8415 and the National Association of Memorial Masons Recommended Code of Practice.
- 10.4 Statutory inspections and testing of memorials will be carried out periodically in line with the recommendations of the Health and Safety Executive

## 11. WOODLAND BURIALS

Where an area of the cemetery is designated by the Council as a woodland burial ground, the following provisions shall apply:-

- 11.1 All graves will be purchased and at single depth. Double graves will be two single graves side by side
- 11.2 [Following an interment New Forest District Council will provide a memorial tree or shrub for each grave space within the woodland section. A list of the trees and shrubs available for selection may be obtained from any of the Funeral Directors Registered to work within the cemeteries administered by New Forest District Council, or upon request from the Cemeteries Office, Town Hall, Avenue Road, Lyminton.](#)  
[Whilst every effort is made to supply the selected tree or shrub, consideration must be given by New Forest District Council to the grave location and the space required for the selected species.](#)
- 11.3 [One Memorial plaque per grave space, measuring a maximum of six inches by four inches \(15cm x 10cm\), is permitted within the woodland section. This must be secured to the tree stake only and affixed above ground level. Similarly only one container suitable to display cut flowers and made of a](#)

material not deemed likely to pose a risk to Health and Safety (i.e, glass), is permitted and should be placed at the head of the grave space. Measurements must not exceed 12" in height x 5" in width or depth (30cmx12.5cm x 12.5cm), The plaque is to be purchased from and affixed by New Forest District Council only.

- 11.4 To preserve the ethos of a woodland burial area any other items of memorabilia are not permitted, New Forest District Council reserve the right to remove any such items without prior notification to the Exclusive Right of Burial owner.
- 11.5 The Council will maintain the tree/shrub for the first three years; after this The area will be left to develop naturally.
- 11.6 After an interment all graves will be turfed and planted with species of wild flowers or bulbs.
- 11.7 Coffins must be made of a softwood or other degradable material.
- 11.8 Woodland areas will be managed by the Council for the benefit of wildlife and vegetation.



## **CEMETERY REGULATIONS**

### **ELING CEMETERY**

**ENVIRONMENT SERVICES**

**MONTH 2010**



**THESE REGULATIONS WERE APPROVED BY THE CABINET  
COMMITTEE OF THE NEW FOREST DISTRICT COUNCIL ON  
.....Insert Date AND WITH IMMEDIATE EFFECT  
SUPERSEDE ALL PREVIOUS REGULATIONS**

DRAFT

## 1. INTRODUCTION

- 1.1 New Forest District Council is responsible for seven cemeteries situated at the following locations:

Beaulieu Cemetery, Grindstone, Beaulieu, SO42 7XP  
Blackfield Cemetery, Exbury Road, Blackfield, SO45 1XE  
Eling Cemetery, Eling Hill, Eling, SO40 9HF  
Lymington Cemetery, Highfield Road, Lymington, SO41 9JH  
Milford Road Cemetery, Milford Road, New Milton, BH25 6PW  
New Milton Cemetery, Gore Road, New Milton, BH25 6RR  
Sway Cemetery, Brighton Road, Sway, SO41 6EB

- 1.2 The Council's regulations have been formulated to ensure that the cemeteries remain neat and tidy and pose no safety risk to either visitors or operatives. The regulations should be observed at all times.
- 1.3 Any organisation carrying out works within the cemeteries identified in 1.1 above must be registered under the Council's Memorial Masons and Funeral Directors Registration Scheme.
- 1.4 Eling Cemetery has provision for **five** types of interments:-

**Cremated Remains section:** each plot may accommodate up to four sets of ashes, however the Council must be advised of this intention at the time of the first booking to ensure the ashes are interred at the required depth. Authorised Memorial headstones only are permitted to be installed in this section see 9.8.

**Lawn Section:** with the exception of some older sections the cemeteries are predominantly 'Lawn Cemetery'. The lawn grave was designed on the war grave principle (to have only a memorial of limited size at the head of the grave with the rest of the grave laid to lawn). In this manner the limited area available for burial is best utilised.

The **formal lawn** section permits only the installation of authorised headstones, New Forest District Council reserve the right to remove any other memorabilia without prior notification.

The **informal lawn** section permits the installation of authorised headstones and the placing of memorabilia along the length of the grave, see 9.3 for the restrictions of type of memorabilia. However either for operational or maintenance reasons New Forest District Council reserve the right to remove such items without prior notification: when possible these items will be placed at the head of the respective grave space.

**Traditional Burial Section:** these are the older sections of the cemetery where the installation of authorised traditional headstone and kerb sets are permitted.

**Woodland Section:** the owner of the Exclusive Right of Burial may select from a list provided by the Council a memorial tree or shrub to be planted in the grave space. In keeping with the ethos of woodland burial grounds, items of memorabilia are restricted to one plaque per grave space and one cut flower container per grave space, see item 11. New Forest District Council reserve the right to remove any other items without prior notification.

**Romany Gypsy Burial Section:** a section has been identified in Eling cemetery for use by the local gypsy community. Only in this section of the cemetery will applications for memorabilia on and around individual grave spaces be considered. Applications will be assessed on an individual basis and whilst consultation may be held with the Gypsy Liaison Officer at Hampshire County Council the Head of Environment Services decision will be final and any unauthorised items will be removed. Access for future interments to other graves and any maintenance works must be provided when requested, in the event of failure to comply with such requests New Forest District Council reserve the right to arrange the removal of any items as deemed necessary.

- 1.5 The Council takes no responsibility for graves that have been planted. Should it become necessary to access an adjacent grave across a planted grave and/or place a soil box on a planted grave New Forest District Council reserve the right to do so. Every effort will be made to contact the Exclusive Right of Burial owner prior to this happening and when possible boards will be used to eliminate as much damage to the planted area as possible, however New Forest District Council do not accept liability for any alleged damage to planted items and any remedial works carried out will be at the discretion of the Head of Environment whose decision will be final.
- 1.6 Notices are placed at the entrance to each cemetery with the contact telephone number and address of the Cemetery Office.
- 1.7 The selection of grave spaces, both for interments and for pre purchase, is subject to the approval of the Head of Environment Services.
- 1.8 The Head of Environment Services decision shall be final in all matters relating to the management of the Cemeteries.

## 2. **CEMETERY OFFICE**

- 2.1 Any queries or comments regarding the cemeteries should be sent to: New Forest District Council, The Cemeteries Office, Environment Services, Town Hall, Avenue Road, Lymington, Hampshire SO41 9ZG

Tel: 023 8028 5952 Fax: 023 8028 5755  
e.mail: cemeteries@nfdc.gov.uk

- 2.2 The Cemetery Office will be open for business during the following hours:

Monday to Thursday	08.45 to 17.15 hrs
Friday	08.45 to 16.45 hrs

- 2.3 The cemeteries office is not open on Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday, Public Bank Holidays or any other day when the Council offices are closed.
- 2.4 Registers of Burials, and associated plans, are available at the Cemetery Office during normal working hours. Searches of the records may be made, and certified extracts obtained, upon payment of the appropriate fee. The system used to record this information is currently under review in order to provide future access using electronic technology.
- 2.5 A copy of the current Fees and Charges leaflet is available from the Cemetery Office upon request. Details may also be obtained by visiting our web site address [www.nfdc.gov.uk](http://www.nfdc.gov.uk), click on Advice and Benefits, click on Bereavement and Burials, Click on Cemeteries. Fees and Charges are then shown as an attachment.
- 2.6 **Former Resident Fees**  
The Interment fee charged for a former resident who resided outside the District boundary for a period of less than two years immediately prior to their demise will be as for a resident. Former residency status should be declared at the time of booking and supplied in writing with the interment application form.  
All other fees charged to a former resident of New Forest District Council will be charged at the appropriate rate as detailed in the Councils Fees and Charges.

### 3. **ADMISSION TO CEMETERIES**

- 3.1 The cemeteries are open to the public daily.
- 3.2 Vehicular access is permitted in Eling Cemetery providing that vehicles travel on the main drives and not across the areas of grass. A speed limit of 5mph is in operation in all the cemeteries administered by New Forest District Council and applies to all modes of transport without exemption.
- 3.3 In the interests of safety cyclists are requested to keep to the main pathways.
- 3.4 Dogs are permitted within the cemeteries providing they are on a leash and are kept under proper control. All dog fouling should be removed in the appropriate manner and placed in the litter bins provided.
- 3.5 Visitors are requested to deposit litter and spent flowers in the bins provided.
- 3.6 All persons shall conduct themselves in a respectful and orderly manner and are reminded of Article 18(1) of The Local Authorities' Cemeteries order 1977 whereby 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 memorial, or any flowers or plants on any such matter;  
or Play at any game or sport in a cemetery.

- 3.7 No person shall interfere with the Council's employees in their duties nor employ them to plant graves or execute any private work whatsoever and employees are not authorised to receive any gratuity.
- 3.8 Damage caused to any boundary wall, fence, ground, paths, memorial or to any other part of the Cemetery must be repaired to the satisfaction of the Head of Environment Services by the party causing the damage. Details of these repairs should be submitted in writing to the Head of Environment Services for approval prior to these works being carried out.

#### 4. HOURS OF INTERMENT

- 4.1 Burials are permitted Monday to Friday (excluding Christmas Day, Boxing Day, Good Friday, Public Bank Holidays or any other day when the Council Offices are closed). Special provision can be made for interments on a Saturday upon payment of the appropriate fee.
- 4.2 All burials will take place between:  
09.30 hrs - 15.00 hrs throughout the year

#### 5. NOTICE OF INTERMENT

- 5.1 A provisional booking must be made through the Cemetery Office prior to the submission of any formal papers and/or payment of fees, to ensure the requested date and time is available.
- 5.2 All Notices of Interment must be completed and signed, where applicable, by the owner of the Exclusive Right of Burial on the forms provided by the Council, and delivered to the Cemetery Office, between the hours of 09.00 and 16.00 Monday to Friday, at least forty eight working hours before the date and time of interment. When the owner of the Exclusive Right of Burial is deceased the executor/nearest relative should arrange for the ownership to be transferred to the new legal owner. Advice and assistance on this procedure may be obtained by contacting the cemeteries office.
- 5.3 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 should be made to the New Forest District Council.
- 5.4 The relevant certificate from the Registrar of Births & Deaths, Coroner or Crematorium, must accompany the Notice of Interment. No interment will take place unless the certificate for disposal is produced 48 working hours prior to the day of the interment.

- 5.5 The exact size of the coffin or casket (l x w x h) and the materials used must be given on the Notice of Interment.
- 5.6 If an interment is to take place in a grave for which the Exclusive Right of Burial has been purchased the Grant of Right must be produced. If this is mislaid, a Statutory Declaration or other evidence of such loss satisfactory to the Council is required. In all cases the Grantee/Successor must sign the declaration on the Notice of Interment.
- 5.7 No interment shall take place in a new single depth grave unless the Exclusive Right of Burial for that grave is purchased at the time of the interment. Single depth interments will only be permitted when the Exclusive Right of Burial has been purchased, or the ground conditions are not suitable for deeper graves.
- 5.8 All double depth graves for which the exclusive Right of Burial has not been purchased at the time of the interment will be known as Unpurchased Graves. New Forest District Council reserves the right to reuse these graves for future interments after a suitable period of time has elapsed.

## 6. EXCLUSIVE RIGHT OF BURIAL

- 6.1 The owner of the Exclusive Right of Burial shall fully comply with the Cemetery Regulations ensuring that the grave is maintained in a safe condition to the satisfaction of the Head of Environment Services.
- 6.2 The Exclusive Right of Burial for graves can be purchased for a fifty year period. This is renewable at the end of the period upon payment of the appropriate fee.
- 6.3 The Exclusive Right of Burial can be purchased in advance of a burial taking place or at the time of burial subject to the approval of the Head of Environment Services.
- 6.4 The Exclusive Right of Burial entitles the deed holder to determine who is buried in the grave and whether a memorial (subject to approval by the Head of Environment Services), can be erected on the grave. [It does not extend to possession of the land, which remains in the ownership of New Forest District Council.](#)
- 6.5 A grave space may not be reserved unless the relevant fee to purchase the Exclusive Right of Burial has been paid in full.
- 6.6 The owner of the Exclusive Right of Burial may transfer the ownership to any other person upon payment of the appropriate fee.
- 6.7 After the death of the owner of the Exclusive Right of Burial the personal representative should produce to the Authority the Grant of Probate, Grant of Letters of Administration or other legal documentation so that the change in ownership can be registered in our records.



- 6.8 The owner of the Exclusive Right of Burial may erect a memorial on a grave space subject to the payment of the appropriate fee and subject to section (9) of the Regulations. [The type of memorial permitted is determined by the designated section of the cemetery the application is submitted for.](#)
- 6.9 Where no interment has taken place in a purchased grave the Council may agree to repurchase the grave at a fee not exceeding the original purchase price [and proportional to the years remaining on the Grant.](#)
- 6.10 Persons interring in unpurchased graves acquire no rights. New Forest District Council reserves the right to re-use these graves for future interments after a suitable period of time has elapsed.

## 7. EXCAVATION OF GRAVES

- 7.1 Grave spaces for those persons above 12 years of age shall be at least 2400 mm (8') x 1200 mm (4') and for those under 12 years of age at least 1200 mm (4') x 1200 mm (4').
- 7.2 No body shall be buried in a grave so that any part of the coffin is at a depth of less than 900 mm (3') below the level of the ground adjoining the grave.
- 7.3 No body shall be buried in a grave unless the coffin is separated from any other coffin already in that grave by the means of a layer of earth not less than 150 mm (6") thick.
- 7.4 Interment shall only take place in a grave for which the Exclusive Right of Burial has been purchased where the owner has given consent, in writing, to the Head of Environment Services on the Notice of Interment. Such consent must contain the grave number.
- 7.5 Where any grave is re-opened for the purpose of making another interment no person shall disturb any human remains or remove any soil that may be offensive. After a coffin/container/shroud 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. This includes disturbing the earth/turf following the scattering of Ashes.
- 7.6 Where a burial has taken place the grave shall be entirely backfilled and made tidy on the day of the funeral and, as soon practicable, be covered with fresh turf. Once the turfing has taken place, turf shall not be removed except for additional interments, exhumations or the placing of authorised headstones. Removal of turf for reasons other than previously stated will entitle the Council to take steps to recoup the cost of replacing the said turf.

## 8. SCATTERING OF CREMATED REMAINS

- 8.1 The scattering of cremated remains can only take place with the permission of the registered Exclusive Right of Burial holder and the Head of Environment Services. The Council's cemetery operatives will remove a small area of turf of a previously purchased grave and the remains will be scattered on this area. The turf will then be replaced over the remains. An ashes plot may also be purchased for this purpose.
- 8.2 A Notice of Interment must be completed, certificate presented and all fees and charges paid before scattering can take place.

## 9. MEMORIALS

- 9.1 Memorials may be erected on graves only if the Exclusive Right of Burial for the grave has been purchased. When the grave is within a designated **Formal** lawn section of the cemetery a memorial headstone only is permitted, any other memorabilia will be removed by the Council. The Council will attempt to notify the Grant holder prior to the removal, however on occasion this may not be possible.
- 9.2 No memorial shall be erected on any grave without the prior approval of the Head of Environment Services. Any unauthorised memorials may be removed following notification to the Grant Holder giving 14 days notice for them to remove them from the cemetery.
- 9.3 In designated sections of Eling cemetery certain items of memorabilia are permitted to be placed on the grave space on the understanding that New Forest District Council reserve the right to remove at any time these items and place them at the headstone area of the grave to allow a) access for an interment to take place in a nearby grave or b) allow any maintenance deemed necessary to take place here or in the surrounding area. Items of memorabilia that will not be permitted are ornamental fencing or kerbing of any type, solar lights, wind chimes, windmills, lanterns, glass chippings or any items deemed by the Council to be a health and safety issue. Should any of the aforesaid items be placed on a grave the Council reserves the right to remove them without prior notification. **This list is not exhaustive but supplied merely as a guide to the items that will not be permitted. The designated area(s) in Eling Cemetery where memorabilia may be placed on the grave space are section(s).....**
- 9.4 Application to erect a memorial/cut an additional inscription must be made, in writing, on a form provided by the Cemetery Office and signed by the registered owner of the Exclusive Right of Burial. The form should be submitted with a drawing showing dimensions, proposed inscriptions and a description of the type of materials to be used. Full construction details and fixing, including length and diameter of dowels and diameter and depth of drill holes plus the size of the foundation, should also be included to facilitate all future memorial inspections which the Council are legally obliged to carry out.
- 9.5 The Council reserves the right to exclude any memorial that would in any way disfigure the cemetery or which is considered unsuitable in design. It also reserves the right to refuse any inscription, which it considers may cause offence.



- 9.6 All memorials erected shall be kept in good repair by, and at the expense of, the owner. 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 will seek reimbursement from the Grant Holder/successor in title for the whole of the costs of these works. Similarly should a memorial fail the statutory inspection the headstone will be repaired by the owner at the expense of the owner.
- 9.7 Where an area of the cemetery is designated as a Formal Lawn Cemetery, no memorial, other than a headstone not exceeding 1350 mm (4'6") in height, 750mm (2'6") wide and 450mm (1'6") in depth shall be permitted to be erected. Flower vases must be an integral part of the memorial or, if removable, be placed no more than 400mm in front of the permitted headstone area .
- 9.7.1 No flowers or plants are permitted to be planted either side of the grave space.
- 9.7.2 No edging stones or ornamental fencing of any type, are permitted on any grave within a designated lawn section of the cemetery.
- 9.7.3 No ornaments or decoration are permitted including:-  
windmills statues, solar lights and items that emit noise and/or light as these will be removed immediately.
- 9.8 Where an area of the cemetery is designated as an Informal Lawn Cemetery memorials must not exceed 1350mm (4'6") in height, 750mm (2'6") wide and 450mm (1'6") in depth, however additional memorabilia of a more temporary nature such as plant pots may only be placed along the grave space, on the understanding there may be on occasion the need for our operatives to move them, without prior notice, to the head of the grave space to allow for both access to other graves and also for routine maintenance works to be carried out. It will be the responsibility of the Grant holder to return these items to their prior location on the grave space.
- 9.9 Memorials placed within the cremated remains sections must not exceed 550mm (22") in width, 550mm (22") in depth and 450mm (18") in height, and fixed to the paving supplied.
- 9.10 All memorial headstones erected must, on the reverse of the base, show the grave number and the trade name (only) of the stonemason/funeral director installing the stone. The lettering used must be 13mm (1/2") uniform height and placed on the left hand side of the base, 150mm (6") above ground level. No other Inscriptions or drawings are permitted to be shown on the reverse side of the headstone.
- 9.11 All Memorials, memorabilia and fencing placed within the section reserved for use by the Romany Gypsy community must have the application approved by New Forest District Council prior to any installation works being carried out.

- 9.12 Memorial benches, trees and [plaques](#) may only be purchased from the Council and will be installed/planted, at a location allocated by the Cemetery Officer, on payment of the appropriate fee. Any items attached or suspended from these memorials will be removed.

## 10. FIXING MEMORIALS

- 10.1 The person responsible for erecting, fixing or transporting the memorial must provide details to the Head of Environment Services of qualifications together with public liability and professional indemnity insurance. Once these have been received and are to the satisfaction of the Head of Environment services then this person or company will be entered onto an approved list which will be reviewed annually. The approved person must provide all necessary tools, equipment and labour necessary for that purpose.
- 10.2 The person responsible for erecting or removing a memorial must remove all surplus earth or debris from the grave site and leave the whole area in a neat and tidy condition. They shall use such means as may be necessary to protect the grass, plants and nearby graves from damage. Surplus soil only may be disposed of in the designated soil bays, all other waste including concrete and granite etc must be removed from site. [The cemetery litter bins should not be used for this purpose.](#)
- 10.3 Suitable foundations must be provided in order to prevent memorials from sinking or tilting. All memorials erected in the cemetery must comply with BS8415 and the National Association of Memorial Masons Recommended Code of Practice.
- 10.4 Statutory inspections and testing of memorials will be carried out periodically in line with the recommendations of the Health and Safety Executive

## 11. WOODLAND BURIALS

Where an area of the cemetery is designated by the Council as a woodland burial ground, the following provisions shall apply:-

- 11.1 All graves will be purchased and at single depth. Double graves will be two single graves side by side
- 11.2 [Following an interment New Forest District Council will provide a memorial tree or shrub for each grave space within the woodland section. A list of the trees and shrubs available for selection may be obtained from any of the Funeral Directors Registered to work within the cemeteries administered by New Forest District Council, or upon request from the Cemeteries Office, Town Hall, Avenue Road, Lymington, SO41 9ZG.](#)  
[Whilst every effort is made to supply the selected tree or shrub, consideration must be given by New Forest District Council to the grave location and the space required for the selected species.](#)
- 11.3 [One Memorial plaque per grave space, measuring a maximum of six inches](#)

by four inches (15cm x 10cm), is permitted within the woodland section. Application and payment of the appropriate fee must be made to the Cemeteries office on an individual basis which when authorised, New Forest District Council will arrange the purchase and installation of the Plaque which will be secured above ground level to the tree stake.

Similarly only one container is permitted per grave space: it should be suitable to display cut flowers only and made of a material not deemed likely to pose a risk to Health and Safety (i.e., glass) and should be placed at the head of the grave space. Measurements must not exceed 12" in height x 5" in width or depth (30cm x 12.5cm x 12.5cm),

- 11.4 To preserve the ethos of a woodland burial area any other items of memorabilia are not permitted, New Forest District Council reserve the right to remove immediately any such items without prior notification to the Exclusive Right of Burial owner.
- 11.5 The Council will maintain the tree/shrub for the first three years; after this time the area will be left to develop naturally.
- 11.6 After an interment all graves will be turfed and planted with species of wild flowers or bulbs.
- 11.7 Coffins must be made of a softwood or other degradable material.
- 11.8 Woodland areas will be managed by the Council for the benefit of wildlife and vegetation.



**New Forest**  
DISTRICT COUNCIL

## **CEMETERY REGULATIONS**

### **BLACKFIELD CEMETERY**

**ENVIRONMENT SERVICES**

**Month 2010**

**THESE REGULATIONS WERE APPROVED BY THE CABINET  
COMMITTEE OF THE NEW FOREST DISTRICT COUNCIL ON  
.....Insert Date AND WITH IMMEDIATE EFFECT  
SUPERSEDE ALL PREVIOUS REGULATIONS**

DRAFT

## 1. INTRODUCTION

- 1.1 New Forest District Council is responsible for seven cemeteries situated at the following locations:

Beaulieu Cemetery, Grindstone, Beaulieu, SO42 7XP  
Blackfield Cemetery, Exbury Road, Blackfield, SO45 1XE  
Eling Cemetery, Eling Hill, Eling, SO40 9HF  
Lymington Cemetery, Highfield Road, Lymington, SO41 9JH  
Milford Road Cemetery, Milford Road, New Milton, BH25 6PW  
New Milton Cemetery, Gore Road, New Milton, BH25 6RR  
Sway Cemetery, Brighton Road, Sway, SO41 6EB

- 1.2 The Council's regulations have been formulated to ensure that the cemeteries remain neat and tidy and pose no safety risk to either visitors or operatives. The regulations should be observed at all times.
- 1.3 Any organisation carrying out works within the cemeteries identified in 1.1 above must be registered under the Council's Memorial Masons and Funeral Directors Registration Scheme.
- 1.4 Blackfield Cemetery has provision for three types of [interments with an additional Memorial Woodland Garden available for the scattering of Ashes \(above ground only\) within the designated area:-](#)

**Cremated Remains section:** each plot may accommodate up to four sets of ashes, however the Council must be advised of this intention at the time of the first booking to ensure the ashes are interred at the required depth. Authorised Memorial headstones only are permitted to be installed in this section see 9.9.

**Lawn Section:** with the exception of some older sections the cemeteries are predominantly 'Lawn Cemetery'. The lawn grave was designed on the war grave principle (to have only a memorial of limited size at the head of the grave with the rest of the grave laid to lawn). In this manner the limited area available for burial is best utilised.

The **formal lawn** section permits only the installation of authorised headstones, New Forest District Council reserve the right to remove any other memorabilia without prior notification.

The **informal lawn** section permits the installation of authorised headstones and the placing of memorabilia along the length of the grave, see 9.3 for the restrictions of type of memorabilia. However either for operational or maintenance reasons New Forest District Council reserve the right to remove such items without prior notification: when possible these items will be placed at the head of the respective grave space.

**Traditional Burial Section:** these are the older sections of the cemetery where the installation of authorised traditional headstone and kerb sets are permitted.

**Memorial Garden:** Ashes may be scattered (above ground only) within designated areas of the memorial garden. Only memorial plaques purchased through and installed by New Forest District Council may be affixed to the memorial rail within this garden area, all other memorabilia placed in the memorial garden area will be removed without prior notification.

- 1.5 The Council takes no responsibility for graves that have been planted. Should it become necessary to access an adjacent grave across a planted grave and/or place a soil box on a planted grave New Forest District Council reserve the right to do so. Every effort will be made to contact the Exclusive Right of Burial owner prior to this happening and when possible boards will be used to eliminate as much damage to the planted area as possible, however New Forest District Council do not accept liability for any alleged damage to planted items and any remedial works carried out will be at the discretion of the Head of Environment whose decision will be final.
- 1.6 Notices are placed at the entrance to each cemetery with the contact telephone number and address of the Cemetery Office.
- 1.7 The selection of grave spaces, both for interments and for pre purchase, is subject to the approval of the Head of Environment Services.
- 1.8 The Head of Environment Services decision shall be final in all matters relating to the management of the Cemeteries.

## 2. **CEMETERY OFFICE**

- 2.1 Any queries or comments regarding the cemeteries should be sent to: New Forest District Council, The Cemeteries Office, Environment Services, Town Hall, Avenue Road, Lymington, Hampshire SO41 9ZG

Tel: 023 8028 5952 Fax: 023 8028 5755  
e.mail: cemeteries@nfdc.gov.uk

- 2.2 The Cemetery Office will be open for business during the following hours:

Monday to Thursday	08.45 to 17.15 hrs
Friday	08.45 to 16.45 hrs

- 2.3 The cemeteries office is not open on Saturdays, Sundays, Christmas Day, Boxing Day, Good Friday, Public Bank Holidays or any other day when the Council offices are closed.

- 2.4 Registers of Burials, and associated plans, are available at the Cemetery Office during normal working hours. Searches of the records may be made, and certified extracts obtained, upon payment of the appropriate fee. The



system used to record this information is currently under review in order to provide future access using electronic technology.

- 2.5 A copy of the current Fees and Charges leaflet is available from the Cemetery Office upon request. Details may also be obtained by visiting our web site address [www.nfdc.gov.uk](http://www.nfdc.gov.uk), click on Advice and Benefits, click on Bereavement and Burials, Click on Cemeteries. Fees and Charges are then shown as an attachment.

2.6 **Former Resident Fees**

The Interment fee charged for a former resident who resided outside the District boundary for a period of less than two years immediately prior to their demise will be as for a resident. Former residency status should be declared at the time of booking and supplied in writing with the interment application form.

All other fees charged to a former resident of New Forest District Council will be charged at the appropriate rate as detailed in the Councils Fees and Charges.

3. **ADMISSION TO CEMETERIES**

- 3.1 The cemeteries are open to the public daily.
- 3.2 Vehicular access is not permitted in Blackfield Cemetery with the exception of access for operational maintenance work and also for Funeral Directors to facilitate interments. A speed limit of 5mph is in operation in all the cemeteries administered by New Forest District Council and applies to all modes of transport without exemption.
- 3.3 In the interests of safety cyclists are requested to keep to the main pathways.
- 3.4 Dogs are permitted within the cemeteries providing they are on a leash and are kept under proper control. All dog fouling should be removed in the appropriate manner and placed in the litter bins provided.
- 3.5 Visitors are requested to deposit litter and spent flowers in the bins provided.
- 3.6 All persons shall conduct themselves in a respectful and orderly manner and are reminded of Article 18(1) of The Local Authorities' Cemeteries order 1977 whereby 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 memorial, or any flowers or plants on any such matter;
  - or Play at any game or sport in a cemetery.
- 3.7 No person shall interfere with the Council's employees in their duties nor employ them to plant graves or execute any private work whatsoever and employees are not authorised to receive any gratuity.



- 3.8 Damage caused to any boundary wall, fence, ground, paths, memorial or to any other part of the Cemetery must be repaired to the satisfaction of the Head of Environment Services by the party causing the damage. Details of these repairs should be submitted in writing to the Head of Environment Services for approval prior to these works being carried out.

#### 4. HOURS OF INTERMENT

- 4.1 Burials are permitted Monday to Friday (excluding Christmas Day, Boxing Day, Good Friday, Public Bank Holidays or any other day when the Council Offices are closed ). Special provision can be made for interments on a Saturday upon payment of the appropriate fee.

- 4.2 All burials will take place between:

09.30 hrs - 15.00 hrs throughout the year

#### 5. NOTICE OF INTERMENT & SCATTERING OF ASHES

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

- 5.2 All Notices of Interment/[scattering](#) must be completed and signed, where applicable, by the owner of the Exclusive Right of Burial on the forms provided by the Council, and delivered to the Cemetery Office, between the hours of 09.00 and 16.00 Monday to Friday, at least forty eight working hours before the date and time of interment. When the owner of the Exclusive Right of Burial is deceased the executor/nearest relative should arrange for the ownership to be transferred to the new legal owner. Advice and assistance on this procedure may be obtained by contacting the cemeteries office.

- 5.3 All fees and charges must be paid at the time of application, prior to the interment/[scattering](#) taking place, in accordance with the scale of fees. All payments should be made to the New Forest District Council.

- 5.4 The relevant certificate from the Registrar of Births & Deaths, Coroner or Crematorium, must accompany the Notice of Interment/[scattering](#). No interment will take place unless the certificate for disposal is produced 48 working hours prior to the day of the interment/[scattering](#).

- 5.5 The exact size of the coffin or casket (l x w x h) and the materials used must be given on the Notice of Interment.

- 5.6 If an interment is to take place in a grave for which the Exclusive Right of Burial has been purchased the Grant of Right must be produced. If this

is mislaid, a Statutory Declaration or other evidence of such loss satisfactory to the Council is required. In all cases the Grantee/Successor must sign the declaration on the Notice of Interment.

5.7 No interment shall take place in a new single depth grave unless the Exclusive Right of Burial for that grave is purchased at the time of the interment. Single depth interments will only be permitted when the Exclusive Right of Burial has been purchased, or the ground conditions are not suitable for deeper graves.

5.8 All double depth graves for which the exclusive Right of Burial has not been purchased at the time of the interment will be known as Unpurchased Graves. New Forest District Council reserves the right to reuse these graves for future interments after a suitable period of time has elapsed.

## 6. EXCLUSIVE RIGHT OF BURIAL

- 6.1 The owner of the Exclusive Right of Burial shall fully comply with the Cemetery Regulations ensuring that the grave is maintained in a safe condition to the satisfaction of the Head of Environment Services.
- 6.2 The Exclusive Right of Burial for graves can be purchased for a fifty year period. This is renewable at the end of the period upon payment of the appropriate fee.
- 6.3 The Exclusive Right of Burial can be purchased in advance of a burial taking place or at the time of burial subject to the approval of the Head of Environment Services.
- 6.4 The Exclusive Right of Burial entitles the deed holder to determine who is buried in the grave and whether a memorial (subject to approval by the Head of Environment Services), can be erected on the grave. It does not extend to possession of the land, which remains in the ownership of New Forest District Council.
- 6.5 A grave space may not be reserved unless the relevant fee to purchase the Exclusive Right of Burial has been paid in full.
- 6.6 The owner of the Exclusive Right of Burial may transfer the ownership to any other person upon payment of the appropriate fee.
- 6.7 After the death of the owner of the Exclusive Right of Burial the personal representative should produce to the Authority the Grant of Probate, Grant of Letters of Administration or other legal documentation so that the change in ownership can be registered in our records.
- 6.8 The owner of the Exclusive Right of Burial may erect a memorial on a grave space subject to the payment of the appropriate fee and subject to section (9) of the Regulations. [The type of memorial permitted is determined by the type of section the grave space has been purchased in.](#)

- 6.9 Where no interment has taken place in a purchased grave the Council may agree to repurchase the grave at a fee not exceeding the original purchase price [and proportional to the years remaining on the Grant](#) .
- 6.10 Persons interring in unpurchased graves acquire no rights. New Forest District Council reserves the right to re-use these graves for future interments after a suitable period of time has elapsed.

## 7. EXCAVATION OF GRAVES

- 7.1 Grave spaces for those persons above 12 years of age shall be at least 2400 mm (8') x 1200 mm (4') and for those under 12 years of age at least 1200 mm (4') x 1200 mm (4').
- 7.2 No body shall be buried in a grave so that any part of the coffin is at a depth of less than 900 mm (3') below the level of the ground adjoining the grave.
- 7.3 No body shall be buried in a grave unless the coffin is separated from any other coffin already in that grave by the means of a layer of earth not less than 150 mm (6") thick.
- 7.4 Interment shall only take place in a grave for which the Exclusive Right of Burial has been purchased where the owner has given consent, in writing, to the Head of Environment Services on the Notice of Interment. Such consent must contain the grave number.
- 7.5 Where any grave is re-opened for the purpose of making another interment no person shall disturb any human remains or remove any soil that may be offensive. After a coffin/container/shroud 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. This includes disturbing the earth/turf following the scattering of Ashes.
- 7.6 Where a burial has taken place the grave shall be entirely backfilled and made tidy on the day of the funeral and, as soon practicable, be covered with fresh turf. Once the turfing has taken place, turf shall not be removed except for additional interments, exhumations or the placing of authorised headstones. Removal of turf for reasons other than previously stated will entitle the Council to take steps to recoup the cost of replacing the said turf.

## 8. SCATTERING OF CREMATED REMAINS

- 8.1 The scattering of cremated remains [within a grave space](#) can only take place with the permission of the registered Exclusive Right of Burial holder and the Head of Environment Services. The Council's cemetery operatives will remove a small area of turf of a previously purchased grave and the remains will be scattered on this area. The turf will then be replaced over the remains. An ashes plot may also be purchased for this purpose.

- 8.2 A Notice of Interment must be completed, certificate presented and all fees and charges paid before scattering can take place.
- 8.3 The scattering of ashes within the memorial garden may only be above ground and in areas designated by the Council for this purpose. All relevant paperwork and fees to be received by the cemeteries office at least 48 working hours prior to the agreed appointed day.

## 9. MEMORIALS

- 9.1 Memorials may be erected on graves only if the Exclusive Right of Burial for the grave has been purchased. When the grave is within a designated lawn section of the cemetery a memorial headstone only is permitted, any other memorabilia will be removed by the Council. The Council will attempt to notify the Grant holder prior to the removal, however on occasion this may not be possible.
- 9.2 No memorial shall be erected on any grave without the prior approval of the Head of Environment Services. Any unauthorised memorials may be removed following notification to the Grant Holder giving 14 days notice for them to remove from the cemetery
- 9.3 In designated sections of Blackfield cemetery certain items of memorabilia are permitted to be placed on the grave space on the understanding that New Forest District Council reserve the right to remove at any time these items and place them at the headstone area of the grave to allow a) access for an interment to take place in a nearby grave or b) allow any maintenance deemed necessary to take place here or in the surrounding area. Items of memorabilia that will not be permitted are ornamental fencing or kerbing of any type, solar lights, wind chimes, windmills, lanterns, glass chippings or containers or any items deemed by the Council to be a health and safety issue. Should any of the aforesaid items be placed on a grave the Council reserves the right to remove them without prior notification. This list is not exhaustive but supplied merely as a guide to the items that will not be permitted. The designated area(s) in Blackfield Cemetery where memorabilia may be placed on the grave space are section(s) .....
- 9.4 Application to erect a memorial/cut an additional inscription must be made, in writing, on a form provided by the Cemetery Office and signed by the registered owner of the Exclusive Right of Burial. The form should be submitted with a drawing showing dimensions, proposed inscriptions and a description of the type of materials to be used. Full construction details and fixing, including length and diameter of dowels and diameter and depth of drill holes plus the size of the foundation, should also be included to facilitate all future memorial inspections which the Council are legally obliged to carry out. Application to purchase a memorial plaque for placing within the memorial garden should be made in writing, on a form available from the Cemeteries office. When completed this should be submitted with the correct fee to the cemeteries office.

- 9.5 The Council reserves the right to exclude any memorial that would in any way disfigure the cemetery or which is considered unsuitable in design. It also reserves the right to refuse any inscription, which it considers may cause offence.
- 9.6 All memorials erected shall be kept in good repair by, and at the expense of, the owner. 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 will seek reimbursement from the Grant Holder/[Successor in title](#) for the whole of the costs of these works. Similarly should a memorial fail the statutory inspection the headstone will be repaired by the owner at the expense of the owner.
- 9.7 Where an area of the cemetery is designated as a Formal Lawn Cemetery, no memorial, other than a headstone not exceeding 1350 mm (4'6") in height, 750mm (2'6") wide and 450mm (1'6") in depth shall be permitted to be erected. Flower vases must be an integral part of the memorial or, if removable, be placed no more than 400mm in front of the permitted headstone area .
- 9.7.1 No flowers or plants are permitted to be planted either side of the grave space.
- 9.7.2 No edging stones or ornamental fencing of any type, are permitted on any grave within a designated lawn section of the cemetery.
- 9.7.3 No ornaments or decoration are permitted including:- windmills statues, solar lights and items that emit noise and/or light as these will be removed immediately.
- 9.8 [Where an area of the cemetery is designated as an Informal Lawn Cemetery a headstone not exceeding 1350mm \(4'6"\) in height, 750mm \(2'6"\) wide and 450mm \(1'6"\) in depth shall be permitted to be erected, however additional memorabilia of a more temporary nature such as plant pots may only be placed along the grave space, on the understanding there may be on occasion the need for our operatives to move them, without prior notice, to the head of the grave space to allow for both access to other graves and also for routine maintenance works to be carried out. It will be the responsibility of the Grant holder to return these items to their prior location on the grave space.](#)
- 9.9 [Memorials placed within the cremated remains sections must not exceed 550mm \(22"\) in width, 550mm \(22"\) in depth and 450mm \(18"\) in height, and should be fixed to the paving supplied.](#)
- 9.10 All memorial headstones erected must, on the reverse of the base, show the grave number and the trade name (only) of the stonemason/funeral director installing the stone. The lettering used must be 13mm (1/2") uniform height and placed on the left hand side of the base, 150mm (6") above ground level. No other Inscriptions or drawings are permitted to be shown on the reverse side of the headstone



9.11 Memorial benches, trees and plaques may only be purchased from the Council and will be installed/planted, at a location allocated by the Cemetery Officer, on payment of the appropriate fee. Any items attached or suspended from these memorials will be removed.

## 10. FIXING MEMORIALS

10.1 The person responsible for erecting, fixing or transporting the memorial must provide details to the Head of Environment Services of qualifications together with public liability and professional indemnity insurance. Once these have been received and are to the satisfaction of the Head of Environment services then this person or company will be entered onto an approved list which will be reviewed annually. The approved person must provide all necessary tools, equipment and labour necessary for that purpose.

10.2 The person responsible for erecting or removing a memorial must remove all surplus earth or debris from the grave site and leave the whole area in a neat and tidy condition. They shall use such means as may be necessary to protect the grass, plants and nearby graves from damage. Surplus soil only may be disposed of in the designated soil bays, all other waste including concrete and granite etc must be removed from site. **The cemetery litter bins should not be used for this purpose.**

10.3 Suitable foundations must be provided in order to prevent memorials from sinking or tilting. All memorials erected in the cemetery must comply with BS8415 and the National Association of Memorial Masons Recommended Code of Practice.

10.4 Statutory inspections and testing of memorials will be carried out periodically in line with the recommendations of the Health and Safety Executive

## 11. WOODLAND MEMORIAL GARDEN

Where an area of the cemetery is designated by the Council as a woodland memorial garden:-

11.1 To preserve the ethos of a woodland garden area, and with the only exception being a memorial plaque purchased from and affixed by New Forest District Council, it is not permitted to have any items of memorabilia within this area. New Forest District Council reserve the right to remove any such items immediately and without prior notification.

11.2 The memorial plaque, measurements not exceeding 6" x 4", may state the name and life span of the deceased only.

On approval of the application and payment of the appropriate fees the plaque will be ordered and affixed by New Forest District Council operatives to the memorial rail.

- 11.3 Items attached or suspended from trees or shrubs etc, will be removed immediately without prior notification.
- 11.4 The scattering of ashes is only permitted, above ground and within designated areas of the cemetery, with the formal approval of New Forest District Council.
- 11.5 Woodland memorial garden areas will be managed by the Council for the benefit of wildlife and vegetation.

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