

DUNSTABLE TOWN COUNCIL

CEMETERY SERVICES

**RULES AND REGULATIONS;**

**GENERAL INFORMATION**

**and BYE LAWS**

IN RESPECT OF THE  
DUNSTABLE CEMETERY

**Revision History**

<b>Version</b>	<b>Date</b>	<b>Summary of Changes</b>	<b>Approved By</b>	<b>Minute Number</b>
1.0	14 June 2010	First Version	Grounds & Environmental Services Committee	118/10
1.1	5 June 2023	Mementos and flowers now allowed on the Lawn Section of the Cemetery Extension	Grounds & Environmental Services Committee	136/23
1.2	6 November 2023	Removal of sales of adjacent graves	Grounds & Environmental Services Committee	228/23



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## 1. **INTRODUCTION**

Rules and Regulations are a necessary requirement for the management of Dunstable Town Council's cemetery at West Street, Dunstable. Every effort has been made to avoid restricting the rights and choices of the individual and these regulations have been prepared to be a balance between the rights of the individual, information, and the requirement to regulate for safe and tidy grounds.

Reasons and/or explanations for certain rules or regulations can be found underneath the specific item and are presented *in italics*.

If you remain dissatisfied, the Council's complaints procedure may be utilised. Further details are available on request.

Anyone visiting the cemetery agrees to abide by these rules & regulations, and must follow any instructions given by the Head of Grounds and Environmental Services or any member of the cemetery staff.

Records of burials and cemetery plans are available for inspection (by appointment) at the cemetery office, during normal office hours, in accordance with the Data Protection Act 1998 & Freedom of Information Act 2000.

Should you wish to discuss or confirm any point relating to these rules and regulations, please contact:

The Cemetery Office on 01582 891426

Email [cemetery@dunstable.gov.uk](mailto:cemetery@dunstable.gov.uk)

## 2. **TERMS**

Within these rules & regulations, unless otherwise stated, the following terms shall have the meanings stated below:

“The Council” means Dunstable Town Council

“The Council Offices” means the main Council Office, Grove House, 76 High Street North, Dunstable, Beds, LU6 1NF

“The Cemetery Office” means the office at the cemetery, West Street, Dunstable, Beds LU6 1PD

“The Cemetery” means Dunstable Cemetery, West Street, Dunstable, which belongs to and is operated by Dunstable Town Council

“Dunstable Cemetery Services” means the department of Dunstable Town Council which operates the cemetery

“The Cemetery Manager” means Dunstable Town Council’s Head of Grounds & Environmental Services, who is responsible for the management of the cemetery & its staff.

“Rules & Regulations” means the rules set out in this document.

“Table of Fees & Charges” means the fees & charges applied by Dunstable Town Council for services and/or goods provided by the Bereavement Service.

“Exclusive Right of Burial” means an exclusive right granted in accordance with section 6.

“Register of Burials” means the statutory register of all burials in the cemetery, which is kept & maintained by the council.

“Private Grave” means a grave space in respect of which an Exclusive Right of Burial has been granted.

“Lawn Grave”(section 5) means a grave which is laid to lawn (grassed over) where the memorial is to be fixed to a pre-cast concrete raft.

“Unpurchased Grave” means a grave space where no Exclusive Right of Burial has been granted.

“Memorial” means any object serving as a remembrance and, in these rules & regulations, includes headstone, cross, statuary, chippings, kerbing, vases,

plaques(flat or otherwise), ledger slabs, wooden markers, other temporary markers and any other form of memorial, temporary or otherwise, in any form or of any material.

“His” is not held to be gender specific and refers to any individual or persons, male or female.

“Interment” means the burial of either a body or the cremated remains of a body.

“New cemetery extension” means that part of the cemetery now occupying part of the former Victoria Allotment.

### 3. GENERAL REGULATIONS

#### 3.1 HOURS OF OPENING

There is pedestrian access to the cemetery grounds available at all times.

The cemetery office is open between the hours of 0900 and 1630 Monday to Thursday and 0900 to 1600 Fridays (excluding Bank and other Public Holidays).

The Council reserves the right to restrict vehicular access to the cemetery at any time, in accordance with the cemetery byelaws. (See 3.5)

The Council reserves the right to exclude the public if it should be considered necessary on any particular occasion or occasions and will publicise such actions in the local press.

#### 3.2 PRE-PURCHASING A GRAVE SPACE

It is not permitted for residents or non-residents to pre-purchase grave spaces.

#### 3.3 CONDUCT

No person shall wilfully obstruct the cemetery staff in carrying out their duties, or shall interfere with any burial.

No person who is in a state of intoxication or under the influence of drugs shall be admitted to the cemetery. Any person deemed to be in contravention of this regulation shall be asked to leave immediately.

No alcohol is to be consumed within the cemetery grounds.

*This regulation is to ensure that visitors to the cemetery behave in a safe and dignified manner which is appropriate to their surroundings.*

No radio, musical instrument, or other form of broadcast, amplified or otherwise may be played in the cemetery, unless permission has been granted.

*Music may disturb other visitors to the cemetery.*

Visitors must refrain from interfering with any flowers, tree, shrub, bush, plaque, grave, vault, memorial, building or any other fixture or fitting.

*To ensure the cemetery grounds are kept in an appropriate condition for their purpose.*

No person shall use improper language, create a disturbance of any kind, play any game of sport, make unnecessary noise, act in a boisterous manner or conduct himself in any indecorous manner within the cemetery grounds.

*To maintain an appropriate level of respect for mourners and other visitors within the grounds.*

No person shall climb upon, or over any wall, gate, fence, building or memorial within the cemetery.

*This is to ensure the safety of all cemetery visitors and to maintain the infrastructure of the site.*

No person shall ignite, or cause to be ignited, any form of combustible, incandescent, or explosive material within the cemetery grounds.

*This is to reduce the risk of fire; to ensure the safety of all cemetery visitors; and to maintain the dignified ambience of the site.*

#### 3.4 CHILDREN

Children under the age of 12 years are not permitted in the cemetery unless accompanied by a responsible adult.

*This is in accordance with the cemetery byelaws and to help ensure the contemplative atmosphere of the cemetery.*

#### 3.5 VEHICLES

Any vehicle brought into the cemetery MUST keep to the roadways. The Council reserves the right to restrict vehicular access at any time in accordance with the cemetery byelaws.

#### 3.6 ANIMALS

No animal may be brought into the cemetery unless in connection with a funeral and with the agreement of the Council.

The Council reserves the right to prohibit all dogs, except guide dogs, in accordance with the cemetery byelaws.

#### 3.7 FILMING/PHOTOGRAPHY

No person shall film within the cemetery, or take any image of any funeral gathering without prior arrangement and the express permission of the Council and / or the principal mourners. Photography for the purposes of genealogy research is permitted with prior approval.

*This is to ensure the privacy rights of individuals. Some visitors or mourners may be offended to be filmed or photographed.*

### 3.8 ADVERTISING AND THE SALE OF GOODS

Within the cemetery grounds and buildings, no person shall canvas or solicit for orders or business, or place advertisements, business cards, or any other form of literature.

*The sale of goods or the soliciting for orders within the cemetery is prohibited to protect the consumer rights of visitors and mourners, and to ensure the bereaved can visit the cemetery without fear of disturbance or harassment.*

### 3.9 FEES

The fees and Charges levied for goods and services are available on a separate sheet.

*This is to ensure the fees advertised are the current, up to date ones.*

All fees and charges run from 1<sup>st</sup> April to 31<sup>st</sup> March (the 'fiscal' year). All fees and charges relating to interments must be paid in full to the Council BEFORE that interment can take place. The exception to this is when a company has arranged to have a monthly account with the Council. All fees & charges for services in connection with the cemetery are payable to the Council, and not a named individual.

### 3.10 FEES FOR NON-RESIDENTS OF DUNSTABLE

The scale of fees and charges to be applied is determined by the residency status of the deceased. A deceased person is deemed to be a RESIDENT if:

- That person's ORDINARY place of residence was in Dunstable;
- That person died whilst in a hospital/nursing home, or institution and his LAST place of residence was Dunstable;
- That person had moved from Dunstable within the 12 months prior to death, having lived in Dunstable for the previous 5 years.

The Non-Resident charge is the actual price but a reduction is made for residents.

The reduced charge will be applied if the Exclusive Right of Burial has already been granted to a resident.

The reduced charge will be applied to all children's graves where the age of the deceased does not exceed 12 years.

For the avoidance of doubt, Dunstable is made up of the following wards of Central Bedfordshire:

- Dunstable Central
- Chiltern
- Icknield
- Manshead
- Northfields
- Watling.

*This is to ensure that with limited burial space available, the primary beneficiaries of the cemetery provision within Dunstable are the residents of Dunstable, and to recognise the ongoing contribution made by Dunstable residents to the upkeep and maintenance of the cemetery through local taxation.*

### 3.11 AMENDMENTS TO RULES AND REGULATIONS AND TABLE OF FEES AND CHARGES

The Council reserves the right to amend or make any alterations to the Table of Fees & Charges and/or the Rules & Regulations through its decision making procedures.

The Table of Fees & Charges will be reviewed annually.

*This is because as the services offered improve and change it may be necessary to amend the current rules & regulations or table of fees & charges accordingly or at short notice.*

### 3.12 GRATUITIES

No employee of the Council is allowed to accept any fee or gratuity for his or any other persons own use.

*This is in accordance with the cemetery byelaws*

### 3.13 RIGHT OF MOVEMENT/PASSAGE

The Council reserves the right of passage across all grave spaces for any purpose connected with the management and/or maintenance of the cemetery

and has the right to remove any memorial from a grave to facilitate the opening of a grave for a first or subsequent interment, if this should be deemed necessary. In the event of such action being necessary, the full cost of such works shall be borne by the person arranging the interment necessitating the actions.

*This is to ensure day to day operations can be carried out, and to prevent unacceptable delays when arranging funerals.*

#### 4. **REGULATIONS RELATING TO INTERMENTS**

##### 4.1 Guiding Principles for Interments

The Council agrees with the guiding principles for interment that are issued by the Institute of Cemetery and Crematorium Management (ICCM), and aims to become holder of the Institutes Charter for the Bereaved. The Council will seek to ensure that those involved in the management and administration of the cemetery hold membership of an appropriate accredited professional body, or are working towards gaining appropriate qualifications in cemetery management.

The Council will also seek to ensure that all Funeral directors, Monumental Masons and all other companies associated with the cemetery service hold the appropriate public liability insurance and can demonstrate safe working methods.

##### 4.2 Hours of Burial

Burials will normally take place between the hours of 0900 and 1530 inclusive, Monday to Friday (excepting Bank or other public holidays). However, burials may be undertaken outside these hours, or on Saturday mornings by prior arrangement. This service is available at the discretion of the Head of Grounds and Environmental Services and is subject to an additional fee being charged.

Burials on Sundays, Bank Holidays, or any other public holiday, will only be permitted in cases of emergency and on the certification of a coroner or registered medical practitioner that immediate burial is necessary.

##### 4.3 Booking Interment Times

All interments must be arranged with the Council. Applications may be made in the first instance, at the Cemetery Office between the hours of 0900 and 16.30 (1600 Fridays), either in person, or by telephone. All bookings must be confirmed, in writing, as soon as possible using the Council Notice of Interment Form, which must be completed in full.

*This is to ensure all our procedures can be followed, which will minimise any problems which may arise.*

#### 4.4 Notice of Interment

Written Notice of Interment must be given to the Council and must be made on the appropriate Council form, completed in full. The Notice of Interment must be received a minimum of 2 working days before the day of the funeral. No interment will take place unless a properly completed Notice of Interment has been received.

The exact coffin or casket size (no allowances) must be confirmed in writing and any alteration to the coffin or casket size must be notified to the Council a minimum of 24 hours before the intended burial.

The Council will not be held responsible for any misunderstandings which arise from instructions being given over the telephone, or in any other form of verbal communication. Written confirmation should always follow any verbal instruction.

*This is to ensure errors are not made and misunderstandings are reduced.*

#### 4.5 Specific Requests for Funeral Services

The Council welcomes any specific requests for a funeral service, but has to be informed of the requirements at the earliest possible convenience so the requests can be considered and allowed for. The Council will do its best to accommodate requests relating to cultural or personal beliefs or preferences whenever practicable.

The Council also welcomes enquiries from families who wish to arrange the funeral details themselves (without using a funeral director), and will render as much assistance as possible. A separate leaflet on this matter is available on application to the cemetery office.

#### 4.6 Faith Leaders

Relatives or their representatives (e.g. funeral director) must make any arrangements for a faith leader or minister to officiate if a service of any sort is required. The Council does not provide and is unable to recommend any faith leader, minister or celebrant.

#### 4.7 Use of Cemetery Chapel

The Cemetery Chapel is available for funeral services if so required. It is suitable for those of all faiths and none, and must be booked at the time of booking the interment. The chapel is also available for use by those NOT having an

interment within Dunstable Cemetery; again, use of the chapel must be booked and priority will be given to those having interments within the cemetery. The chapel seats approximately 40. There is an organ (person arranging the funeral must book an organist) or facilities to play CDs. It should be noted that a wheeled bier is used to convey the coffin into the chapel. Coffins may be open in the chapel if requested, but will have to be closed before entering the cemetery grounds.

#### 4.8 Arriving at the Cemetery

The time booked for a funeral is the time that the cortege is due to arrive at the cemetery (unless the service is taking place in the cemetery chapel, when the 'chapel time' is the time booked). The onus is on the funeral director, or responsible family member to inform the Council of any delay, or change to the appointed time of arrival. In default, the cemetery manager may allow another funeral to take precedence.

*This is to ensure the efficient running of the bereavement service and to minimise any delay and distress to mourners and funeral parties.*

#### 4.9 Certificate for Disposal

The Registrar's Certificate or Coroner's Order MUST be handed to cemetery staff before the interment can take place. If the certificate has been forgotten by the funeral director, that funeral director must complete & sign a declaration (Form 18) in accordance with the Births & Deaths Registration Act 1926 before the interment can commence. The Certificate must then be delivered to the Council as soon as possible (same day) after the interment.

*This is a legal requirement. Without the Registrar's Certificate or the Coroner's Order, or the completion of Form 18, the interment cannot take place.*

#### 4.10 Structure of the Coffin & Coffin Occupation

All bodies brought to Dunstable Cemetery, whether for burial or, a service in the cemetery chapel shall be contained in an *INDIVIDUAL* coffin, casket, or shroud suitable for the purpose, *UNLESS THE BODIES ARE THOSE OF A PARENT & CHILD*. Coffins and Caskets may be made of wood, metal, wicker, cardboard, or any other biodegradable material allowed by law for the purpose of burial. Shrouds for burial should have a base rigid enough to enable the dignified committal of the body. Every body brought to the cemetery shall be clearly marked for identification purposes, and this will include the full name of the deceased. The full name of the deceased shall also be shown on all the corresponding paperwork.

*It is essential that the body of the deceased is properly and decently covered. This avoids any distress to other cemetery users or visitors. It is also essential that the body is easily and correctly identifiable. This helps to avoid distressing mistakes.*

#### 4.11 Bearers

The funeral director and/or family are responsible for providing a minimum of 4 bearers to convey the coffin from the hearse to the grave, and to lower the coffin in a safe and dignified manner. In the case of the family wishing to carry the coffin, appropriate advice should be sought from the appointed funeral director as to the safe procedure for carrying and lowering a coffin. The Council cannot accept any responsibility for any injury caused to a family member or friend as a result of bearing the coffin.

*This is to ensure the health and safety of mourners, visitors, funeral operatives, officiates and cemetery staff is maintained at all times.*

#### 4.12 Backfilling of Graves

Following an interment, cemetery staff will backfill the grave.

By prior arrangement, representatives and family of the deceased may, at their own risk, backfill the grave. If doing this, they must agree to adhere strictly to instructions from the cemetery staff. If required, and also by prior arrangement, a 'token backfill' may be requested (this is where a 'token' amount of earth is scattered on the coffin, generally by the male family members).

#### 4.13 Flowers

Floral tributes will be left on a new grave, and will not be removed until they have withered or become unsightly. The Council reserves the right to remove any withered or unsightly floral tributes including artificial flowers from any grave at its own discretion.

*This allows the staff to keep the cemetery tidy for our visitors.*

## 5 REGULATIONS RELATING TO GRAVES

### 5.1 Types of Grave

Graves may be 'private' – where the Exclusive Right of Burial has been purchased, or 'un-purchased' – where the Exclusive Right of Burial has not been purchased. Private and un-purchased graves will be on the same sections. Any person may apply to have a burial undertaken in an un-purchased grave, and will only have to pay the applicable interment fee as stated in the table of fees &

charges. Every un-purchased grave will be dug for two interments (depth). The family of the deceased interred in an un-purchased grave has 5 years in which to purchase the Exclusive Rights if they wish to do so. It should not be assumed that it will be possible to bury a related person in an un-purchased grave. After this time the Council may bury another unrelated person in this grave. When this has happened, the Exclusive Right will NOT be available for purchase, and will remain with the Council. No memorial may be erected on an un-purchased grave until the Exclusive Right has been purchased and a Memorial grant applied for & gained.

## 5.2 Selection of Graves

The Council reserves the right to select the positions of graves.

## 5.3 Digging & Depth of Graves

The depth of every grave shall be controlled by the Council. No grave may be made deeper after the first burial has taken place. Where more than 1 burial takes place in a grave there shall be a layer of earth not less than 6" between the coffins. No part of any coffin in an earth grave shall be less than 3 feet below the level of the surrounding ground.

## 5.4 Walled Graves, Vaults and Chambers

In the existing West Street cemetery, it is possible to request that a walled grave is constructed. The size of the excavation required will be governed by the size of the coffin or casket, and will be limited to what may be shored.

*This is to ensure the safety of the cemetery staff and the person(s) bricking the grave.*

In the NEW cemetery extension, the Council reserves the right to insist that all constructed graves use pre-formed chambers or liners specifically manufactured for the purpose and conforming to a type or types approved by the Council.  
*policy statement 1*

## 5.5 Re-opening of Graves

No private grave shall be re-opened without the signature of the holder of the Exclusive Right of burial. If the deceased is the holder of the Exclusive Right of Burial he has automatically the right to be interred in that grave, providing there is sufficient depth remaining.

## 5.6 Production of the Grave Deed

The Council reserves the right to see the Grant of Exclusive Right of Burial before a grave is opened.

If the Exclusive Right of Burial is lost, the Council has the right to demand a Statutory Declaration to say that it has been lost.

#### 5.7 Grave Excavations

The Council reserves the right to erect soil boxes (for the purpose of containing spoil from an excavation) on graves adjacent to those which need to be opened for an interment without prior notice. These will be removed as quickly as possible, and the grave left tidy.

#### 5.8 Moving Memorials

When graves have to be opened in certain areas of the cemetery, it may be necessary to move or remove a memorial in the surrounding area for access or health & safety reasons. The Council reserves the right to do this but will seek to notify the grant holder.

#### 5.9 Maintenance of Graves

##### 5.9a ON TRADITIONAL SECTIONS ( WITH KERBSETS)

Small shrubs or flowering plants NOT TO EXCEED 24” in height may be planted on any private grave.

The Council reserves the right to cut down, or remove any such planting, if they have become unsightly or overgrown, or if the grave has to be re-opened.

If a private grave is not properly maintained and kept tidy, the Council may raise the matter with the grant hold but reserves the right to level & turf the grave.

*This is to keep the cemetery looking attractive and pleasant for visitors.*

Any items of remembrance (including, but not limited to toys, ornaments, solar lamps, photographs, rosary beads) placed on or around a grave are solely the responsibility of the person doing so and are left at the risk of that person. The Council will accept no liability whatsoever for the safety and security of any such items.

The Council reserves the right to remove any such item as it deems to be offensive or dangerous, or which it considers to cause a hazard.

#### 5.9 b MAINTENANCE ON LAWN SECTIONS (NO KERBING PERMITTED)

The Council has decided an area of the New cemetery extension will be designated as 'Lawn'. In this area no kerbing or surrounds of any type will be permitted. (*policy statement 3*) Memorials will be erected behind the head area of the grave (*policy statement 3*). Memorials will be no greater than 36 inches high with a maximum width of 30 inches and a maximum depth of 18 inches front to back. Memorials will not be allowed to encroach beyond the marked stone-filled trench. The area will be laid to lawn and maintained in a level condition. The placing of items of remembrance on graves within sections designated as 'lawn' are allowed, and the Council reserves the right to remove any items it deems to be offensive, or dangerous, or which it considers to cause a hazard.

*This is to keep the cemetery a safe and attractive place for mourners, visitors, contractors and staff alike.*

#### 5.10 Interment of Cremated Remains

Cremated remains may be interred in any grave space for which the Exclusive Right has been purchased. If cremated remains are interred in a grave with remaining, unused burial depth, the interment of the cremated remains will prevent any further full body interment from taking place.

Whilst space allows, cremated remains may also be interred in the Garden of Remembrance, in the existing cemetery where plots measuring 18" x 18" are available to hold a maximum of 3 sets of cremated remains.

Any cremated remains interred must be presented in a suitable, biodegradable container, *OR MAY BE INTERRED LOOSE.*

The Certificate of Cremation must be handed to staff before any interment of cremated remains may take place.

In the New cemetery extension, the Council will offer a variety of options for the resting of cremated remains, which will include the facility to inter remains above ground in units specifically designed for this purpose. *Policy statement 1*

These units will be offered on a lease basis, for a set period, with the option to extend the lease at the end of the original lease period (this may incur further charges). If the option to extend is not taken up, the Council reserves the right to remove the cremated remains within the unit and to scatter them within the

cemetery grounds. The position of the ashes will be recorded. Cremated remains rested by scattering cannot be retrieved.

The scattering, or strewing of cremated remains within the existing cemetery is not permitted; however the Council has decided to set aside an area of land within the New cemetery extension to allow for the scattering of cremated remains and to provide a choice of memorialisation options linked to this facility.

*Policy statement 2*

## **6 EXCLUSIVE RIGHTS OF BURIAL**

An Exclusive Right of Burial allows the named holder of the Grant to bury human remains in an agreed grave space, as long as there is sufficient depth to do so. A grave subject to an Exclusive Right cannot be opened, and no interment may take place without the written permission of the grant holder.

An Exclusive Right will not be issued in respect of units designed for the above ground interment of cremated remains, which will be governed by a separate lease arrangement.

At Dunstable Cemetery, Exclusive Rights are granted for a period of 75 years from the date of the deed of grant, and are subject to such terms and conditions as deemed appropriate by the Council.

The purchase of an Exclusive Right of Burial does NOT constitute the ownership of any land. All land within the cemetery remains in the ownership of the Council. It is essential that it is understood that the grave is sold on a lease basis and the only rights within that lease are the rights to burial in that grave if space permits. The Exclusive Right is solely the right to have a burial in a designated grave space (space permitting).

Exclusive Rights are granted on the understanding that the holder of the grant will comply with these rules and regulations and any amendments made to them, particularly any such rules applicable to a particular type of grave to which the Exclusive Right relates. For example, if an Exclusive Right of Burial is granted in association with a grave in a section of the cemetery which is designated as a 'lawn' section, the grant holder is required to comply with the regulations which specifically relate to lawn sections. The purchase of Exclusive Rights does NOT include the right to erect a memorial on that grave. Memorial rights must be applied for separately. Please see section 7 for further details.

The holder of the Exclusive Right MUST be the same as the holder of the Right to erect & maintain a memorial.

#### 6.1 Transfer of the Exclusive Right

An Exclusive Right of Burial to a grave space may be transferred by deed, or bequeathed by will.

In cases where the holder of the Exclusive Right of Burial is still alive, the transfer may be done by completion of a Form of Assignment. A Form of Assignment is available from the Council Offices. This form should be completed and signed by the owner of the Exclusive Right of Burial and the person taking over the ownership of the said right and submitted to the Council Offices together with the original Deed of Grant. The Deed of Grant of Exclusive Right of Burial will then be updated to show the details of the new owner(s).

*This is the recognised legal way of transfer of grave rights where the owner of the Exclusive Right of Burial is alive.*

Where the owner of the Exclusive Right of Burial is deceased and, provided that the Exclusive Right of Burial has not been specifically left to another person, then upon production of a will, or Letters of Administration, the Exclusive Right of Burial may be legally transferred to the person in possession of the Letters of Administration or the beneficiary of the residue of the estate under the terms of the deceased EROB holder's will.

*The grave rights form part of the estate of the deceased and can thereby be transferred to the appropriate person upon proof being submitted to the Council Offices.*

In cases where the owner of the Exclusive Right of Burial is deceased and there is no will, or Letters of Administration available, then the Exclusive Right of Burial may only be transferred to another person if that person completes a statutory declaration and ensures that any other person equally entitled counter-signs the statutory declaration and renounces his rights. A statutory declaration must be witnessed by a Solicitor or a Commissioner for Oaths.

*This is a legally recognised way of dealing with this issue.*

For further information on the transfer of ownership of Exclusive Rights of Burial, please contact the Cemetery Office for further details.

## **7 REGULATIONS REGARDING MEMORIALS**

The installation of any memorial, the renovation of an existing memorial and the adding of inscriptions to memorials will be carefully monitored by Dunstable Town Council. No memorial may be placed on a grave where the Exclusive Right of Burial has not been purchased.

The installation and renovation of, and any other work pertaining to, memorials of any kind within the cemetery may only be undertaken by those persons that the Council has deemed suitable to carry out such works.

#### 7.1 The Right to place and Maintain a memorial

The registered holder of the Exclusive Right of Burial is able to apply to the Council for the right to place and maintain a memorial on a particular grave space. The application form is usually completed on behalf of the applicant by the memorial mason.

A drawing of every memorial proposed, showing the accurate dimensions, material, fixing method and including all components and parts of the memorial and any foundation associated with it, together with a copy of the inscription to be inscribed on the memorial, must be supplied to the Council for approval before the Right is granted. A fee for this right will be charged as laid out in the table of fees & charges.

The right will only be granted by the Council if all aspects of the memorial and the inscription comply with the regulations. The right will be granted for the duration of the Exclusive Right of Burial

No memorial will be admitted to the cemetery until it has been approved by the Council, all the appropriate paperwork has been received by the Council, and the relevant fee has been paid to the Council.

If an inscription is to be added to a memorial, the same application process applies.

#### *This is so the Council can manage the memorials erected in the Cemetery*

Once a memorial has been erected, the holder of the Right to Place & Maintain a memorial, their executor or personal representative will be held responsible for the maintenance and safety of that memorial. Any memorial deemed to be unsafe by the Manager, or delegated cemetery staff must, without delay, either be made safe, removed from the cemetery or repaired by a memorial mason. Any costs associated with this will be borne by the person holding the Right to Place & Maintain a Memorial.

The Council will test routinely memorials for stability, and work may be required on any memorial deemed to be unstable or in a poor state or repair.

The Council reserves the right, after reasonable notice to the person concerned and failure of that person to take the necessary action, to remove or change any memorial which infringes the regulations, or is deemed by the Manager to be in a state of neglect or disrepair.

The Council may remove any memorial from any private grave when the period of Exclusive Right of Burial has expired.

It is strongly recommended that appropriate 'all risks' insurance cover is obtained by the owner of the Right to Place & Maintain a memorial.

*This is to help make the cemetery a safe place for mourners, visitors and staff.*

## 7.2 Sizes of Memorials and Suitable Materials

No memorial may exceed the dimensions of the grave space or spaces it relates to. These dimensions must include any foundation and all component parts of the memorial, including paving or 'walkrounds'. No memorial will be approved if the total height of all component parts including foundations exceeds 6feet 6 inches. (*policy statement 2*) Different sections within the cemetery will have different restrictions regarding memorials, and therefore what is permitted in one area may not be allowed in another. For further details or for clarification, please contact the cemetery office.

The Council will endeavour not to restrict material choice to stone only. However, all materials proposed for a memorial must be approved in advance by the Council.

## 7.3 Memorial Inscriptions

Inscriptions may be incised, inset, carved in relief, raised, leaded, gilded, painted or of any other approved form.

Every memorial must have the section, grave number and name of the Mason inscribed at the base or at ground level in 1" high lettering.

## 7.4 Damage to Memorials

The Council accept no liability for any damage whatsoever which may be caused to any form or type of memorial or inscription in the cemetery, howsoever it may be caused. The Council also strongly recommends that appropriate all-risks insurance is taken out to cover the memorial.

## 7.5 General Rules for Memorial Masons

No hewing or dressing of stone is permitted in the cemetery.

All materials must be conveyed from the roadways in such a manner as to avoid damage to the cemetery grounds. If any damage is caused, the person causing such damage shall bear the cost of making it good.

All masons must provide their own tools, equipment and Personal Protective Equipment. *No mason will be permitted to work in the cemetery without appropriate PPE.*

No mason will be admitted to the cemetery on Sundays, Bank or Public Holidays. All masons must vacate the cemetery by 1600hrs Monday to Friday, and by 1200hrs (noon) Saturdays.

## 8.00 Legislation

All relevant legislation must be complied with – in particular the Local Authorities Cemeteries Order 1977 (LACO). A Copy of LACO can be provided by the Council on application at the Cemetery Office. (*policy statement 8*)

