

**FOUR MARKS PARISH COUNCIL**  
**BURIAL GROUND REGULATIONS**

- a. These regulations are for the management and control of Four Marks Burial Ground, Brislands Lane, Four Marks, Hampshire GU34 5AF as agreed by the Four Marks Parish Council under powers conferred by the Local Government Act 1972 and The Local Authorities Cemeteries Order 1977 (LACO), as agreed at the Parish Council meeting of 17<sup>th</sup> July 2002, and as amended at the Parish Council Meeting held on Wednesday 16<sup>th</sup> September 2015, and in accordance with guidelines laid out by Diocese of Winchester Chancellor’s Regulations – Churchyards and Churchyard Memorials – Issued September 2011.

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**1. GRAVES**

- a. The Clerk to the Council acting in their capacity as the burial ground manager will select the grave plot. In some cases it may be possible for families to select a grave plot of their choice in consultation with the Clerk.
- b. The Parish Council does not undertake the digging or refilling of graves. The Clerk will mark the grave with an appropriate marker that will display the grave number and surname of the deceased to be interred. The person arranging for the Interment is responsible for ensuring that the marked grave is opened, or re-opened, and that it is dug to the correct position, depth, length and width. Where appropriate the Council requires that safe practices are observed at all times during the digging process including the use of shoring and lock down covers. The Council shall not be responsible for consequences of any error.
- c. The dimensions of a grave shall be:

Plot Type	Dimension of Plot
Cremated remains	0.46m x 0.46m (1ft 6” x 1ft 6”) and any first interment must allow for a subsequent interment with a minimum of 300mm (12”) of topsoil covering
Full burial plot	2.75m x 1.22m (approx. 9ft x 4ft), all initial interments must be in a double depth plot (ie. shall be a minimum depth of 1.83m (6ft) below the normal ground level, there must be 1.45m (4ft 9”) of earth over the coffin. For second burials there must be at least 0.92m (3ft) of earth between the top of the coffin and normal ground level.
A minimum of 2ft (0.6m) must be left between graves.	

- d. The person arranging the Interment is also responsible for the re-turfing of the surface of the grave immediately after the burial in such a way as to allow for settlement.

- e. Surplus soil remaining after the refilling of a grave shall be deposited within the burial ground or as the Clerk directs which may include removing the soil entirely from the burial ground.
- f. Any issues that arise during the grave digging process that might affect the reopening of the grave must be reported back to the Parish Council.

## **2. INTERMENTS**

- a. Only human remains shall be interred within Four Marks Burial Ground.
- b. Interments are permitted between the hours of 9.00am and 5.00pm or until the sun has set if that is earlier on any day except bank holidays.
- c. An Application for Interment Form shall be given to the Council at least 3 working days before the proposed date of the interment and must be sent to the Clerk. Notice will not be received on a Sunday or Bank Holiday.
- d. Shorter notice than that required by Regulation 2c may be accepted where exceptional conditions necessitate.
- e. Human remains, whether cremated or not, must be enclosed for interment within a casket or coffin of wood or other perishable material.
- f. Cremated remains must always be interred in a purchased grave, which may be either one of the designated cremated remains plots or a family grave in which exclusive rights of burial have already been granted for a previous interment.

## **3. MAINTENANCE**

- a. The Parish Council does not undertake the maintenance of individual graves other than by arrangement with the Commonwealth War Graves Commission, and is only responsible for the general upkeep and order of the burial ground as a whole, and reserves the right to cut the grass on any grave.
- b. Small plants (max growth height 0.6m [2ft]) may be grown within the interment area only (0.6m by 1.8m [2ft x 6ft]). The Council reserves the right to remove any plants or shrubs that exceed these parameters and/or the boundary of the plot. Non attended plots will be topped up and grassed over.
- c. Artificial flowers and Christmas wreaths are only acceptable if professionally produced and should/will be removed if considered 'to have deteriorated'.
- d. Bottles, tins, jars and other unsuitable containers of whatever material are not permitted as breakages can constitute a safety risk to visitors to the burial ground and maintenance contractors.
- e. The Council reserves the right to remove any item which is contrary to any Burial Ground Regulation having written to the last known contact and received no response after 30 days.

#### 4. MEMORIALS

- a. All gravestones, monuments, or other memorials of any description, and all inscriptions on them, must be approved by the Parish Council, and the appropriate fee (as applicable) paid on application.
- b. It is necessary to allow the grave to settle before a permanent memorial is permitted (generally 12-18 months). A temporary wooden marker may be placed on the grave for a period not exceeding 12 months, but should not exceed 0.9m (3ft) above ground level and in the case of a cross no more than 0.6m (2ft) wide. This temporary marker shall be removed when a permanent memorial is erected. The Council reserves the right to remove any temporary marker should it fall into disrepair.
- c. No stones/gravel or similar covering are permitted as they may damage grass cutting equipment
- d. No kerbstones, edging or fencing are permitted around any grave plot, unless a very old plot when permission was allowed, as this prevents maintenance and can create a trip hazard to others.
- e. No glass vases or other similar items as they will shatter in frosty conditions and create a hazard to visitors and wildlife.
- f. No wind-chimes, lights or other mementoes which will infringe on the peaceful tranquillity of the cemetery.
- g. No other mementoes which will deteriorate over time (eg. beer cans, soft toys, balloons).
- h. On a burial grave only the following types of memorial will be permitted:
  - A stone vase, stone cross or a headstone, none of which shall exceed 1.07m (3ft 6") and 0.75m (2ft 6") wide.
  - A flush tablet not exceeding 0.6m by 0.3m (2ft x 1ft)
  - A raised tablet not exceeding 0.6m x 0.6m (2ft x 2ft)
- i. On a cremated remains plot only the following types of memorial will be permitted:
  - A memorial no more than 0.4m (1ft 4") high with plinths contained within the plot size (see 1c above)
  - A flat tablet not exceeding 0.3m by 0.3m (1ft x 1ft)
- j. A memorial in the form of a flower vase may be permitted. The vase shall not exceed 0.3 metres (12") in length, width or height. A flower vase may be included as an integral part of the design of the headstone or cross, provided it is contained within the plot size (see 1c above).
- k. No more than one memorial can be erected on any one burial grave or cremated remains plot.

## 5. ERECTION OF MEMORIALS

- a. Full details of the size, design, colour and materials and the proposed inscription on the memorial **MUST** be submitted to the Clerk of the Council for approval, including temporary crosses.
- b. The Parish Council may refuse approval of all or part of any memorial, or inscription, which it considers to be unsuitable, or likely to give offence, and the Council shall not be required to state reasons for its decision.
- c. Any work done on a memorial or inscription **before approval** by the Council shall be at the sole risk of the applicant.
- d. No work on memorials shall be carried out on Saturdays, Sundays or Bank Holidays.
- e. Memorials wholly or partly of soft stone, soft wood, glass, china, plastic or other unsuitable materials are not permitted.
- f. A memorial shall be anchored to the ground so that it is securely held but in such a manner that it may be set aside to permit reopening of the grave.
- g. Every memorial shall have the grave number inscribed on the bottom right hand corner on the back of the memorial, or in the case of tablets on the front right hand corner. **NO TRADE NAMES WILL BE PERMITTED.**
- h. No work other than that necessary for assembly or erection of a memorial may be done within the burial ground; except a second or subsequent inscription may be placed upon a memorial while in situ.
- i. Memorials may not be conveyed from the highway on any vehicle that is not fitted with pneumatic tyres.

## 6. RESPONSIBILITY AND INSPECTION OF MEMORIALS

- a. The primary responsibility of a memorial is with the family of the deceased. All memorials must be kept in good state of repair.
- b. The Parish Council will not accept liability for damage to any grave or memorial or injury to any person within the burial ground except where such damage is directly attributable to the negligence of the Council or their employees.
- c. The Council has overall responsibility for the health and safety of all the visitors to the burial ground. This may include testing the stability of headstones. In certain circumstances, it will be necessary to lay the headstone down or alternatively make it safe with a support. The Clerk will contact the family of the deceased, but if the contact details are out of date, a sign will be left by the memorial for a period of 30 days. Please note any repairs required in making the memorial safe are primarily the family's responsibility.
- d. In the absence of an identifiable owner of a memorial the Council may carry out works to make it safe. A charge will be recorded against the grave and the Council will be entitled to recover the costs at any time in the future should an owner come to light.

## **7. BURIAL RIGHTS**

- a. A *Grant of Burial Rights* enables the purchaser to purchase the right to use the plot for a period of 50 years. The purchaser holds the right to determine who can be buried in the grave.
- b. If a purchaser wishes to relinquish a Burial Right, the Parish Council will purchase it back at the same rate for which it was purchased.
- c. A maximum of 3 persons may purchase a Burial Right. All the owners must sign to authorise the grave to be reopened with the exception of the burial of a registered owner.
- d. A common grave has no rights and could be dug to a double depth and a second burial take place in the plot. This is however very infrequently done.
- e. If a relative of a person interred in a common grave wishes to be interred in that same grave the Burial Rights of that grave must be purchased.
- f. A common grave may be purchased by the relatives or friends of the first interred at any time, so long as no second Interment has taken place.
- g. The grant of Burial Rights is at the discretion of the Council, and every application shall be accompanied by the appropriate fee.

## **8. FEES**

- a. All fees are reviewed and provided annually and must be paid to the Parish Council in advance of the Interment or erection of the memorial.

## **9. THE BURIAL GROUND**

- a. The burial ground is open between the hours of sunrise and sunset daily, but the Parish Council may close all or part of it at any time that it deems to be necessary.
- b. Persons within the burial ground shall conduct themselves appropriately.
- c. No vehicles save in the exception of 5.i may enter the burial ground without the specific consent of the Council if it is deemed to be damaging the ground or plots.
- d. No person within the burial ground shall distribute any trade literature or business card, nor solicit orders.
- e. Dogs must be kept on a lead and under control at all times.

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## **10. INTERPRETATION**

- a. In these Regulations and in the appended Table of Fees the following words and expressions shall have the meanings assigned to them:

- b. 'Burial Rights' means the exclusive right of the grantee to nominate persons for interment in a grave in respect of which he/she has been granted those rights.
- c. 'Burial Ground' means the burial ground and/or cemetery under the control of the Parish Council.
- d. 'Clerk' means the Clerk for the time being to the Parish Council or any other person to whom the Council has delegated its powers.
- e. 'Common grave' means a grave in respect of which the Parish Council has not granted exclusive rights of burial.
- f. 'Council' means the Parish Council of Four Marks.
- g. 'Fee' means any sum payable to the Parish Council under these Regulations.
- h. 'Grantee' means a person to whom Burial Rights in a grave have been granted by the Parish Council or to whom those rights have been validly passed.
- i. 'Grave' means a place of, or for, interment in the burial ground.
- j. 'Inscription' means any characters other than those of the serial number of a grave which are placed upon or cut into the surface of a memorial.
- k. 'Memorial' means an object placed upon a grave to commemorate a person deceased.
- l. 'Parish' means the civil Parish of Four Marks as from time to time defined.
- m. 'Parishioner' means either:
  - i. a person whose name appears in the Register of Electors of the Parish current at the time of death; or
  - ii. a person who has taken up permanent residence within the Parish and whose name, but for his/her death, would have been eligible for inclusion in the Register of Electors of the Parish next succeeding that current at the time of death; or
  - iii. a patient or resident of a hospital or other institution, including sheltered accommodation, for the care of the physically or mentally sick or of the aged, or the home of a friend or relative, and who at the date of admission thereto was a parishioner as defined in Regulation 9m.i,ii; provided that his/her transfer from one such place to another shall not affect his/her status as a parishioner; or
  - iv. a person whose nationality debars him/her from inclusion in the Register of Electors of the Parish but who would otherwise be eligible for inclusion in the Register; or
  - v. a person under the age of 18 years, a parent or local guardian of whom is a parishioner as defined in Regulations 9.m.i,ii&iii.