

KESGRAVE TOWN COUNCIL

Lawn Cemetery Policy



Table of fees and regulations made by the Kesgrave Town Council acting as the Burial Authority in respect of the Kesgrave Lawn Cemetery (Closed Cemetery)

As from 1st January 2000 Kesgrave Parish Council became Kesgrave Town Council.

Fees, Payments and Sums fixed and settled under Article 15 of the Local Authorities Cemeteries Order 1977.

The fees, payments and sums set out below apply where the person to be interred or in respect of whom the right is granted is, or immediately before his/her death was, an inhabitant or parishioner of the parish of Kesgrave, or, in the case of a still-born child, where the parents (or one of them) are, or at the time of the interment were, such inhabitants or parishioners. In all other cases, the fees, payments and sums will be six times the resident fee, except those set out in Parts I and III will not be increased where the exclusive right of burial in the grave in question was acquired at the single fee as set out in Part II, or at double and treble fee when double and treble fees will continue (See Recreation & Amenities Minute 5(a) 30th September 2002).

Part I Interments

The fees indicated for the various heads of items 1 and 2 do not include the digging of the grave.

	2020/2021 fee £
1 For the interment in a grave in respect of which an exclusive right of burial has been granted:	
(i) of the body of a still-born child, or of a child whose age at the time of death did not exceed 12 months (Except in the case of the body of a still-born child, or of a child whose age at the time of death did not exceed 12 months and where a single fee is applicable, when there will be no fee)	No Charge
(ii) of the body of a child whose age at the time of death exceeded 12 months but did not exceed 12 years	No Charge
(iii) of the body of a person whose age at the time of death exceeded 12 years	125.00
2 For the interment of cremated remains in a grave in respect of which an exclusive right of burial has been granted (Except in the case of the body of a still-born child, or of a child whose age at the time of death did not exceed 12 months and where a single fee is applicable, when there will be no fee)	45.00
3 For the interment of cremated remains in the Garden of Remembrance (Except in the case of the body of a still-born child, or of a child whose age at the time of death did not exceed 12 months and where a single fee is applicable, when there will be no fee)	45.00
Part II Exclusive right of burial in earthen graves	
1 For the exclusive right of burial, in an earthen grave, 9 feet by 4 feet for a period of 50 years	232.00

2 For the exclusive right of burial of cremated remains in an earthen grave, 2 feet by 2 feet for a period of 50years.	118.00
The fees indicated for the various headings of this Part include the cost of the Deed of Grant.	
Part III Monuments, Gravestones, Tablets and Monumental Inscriptions	
For the right to erect or place on a grave in respect of which the exclusive right of burial has been granted:	
(i) on a cremation plot, a flat stone, not exceeding 18 inches by 18 inches or a wedge-shaped stone, not exceeding 18 inches by 18 inches, maximum 4ins high at rear and 2ins at front. A vase can be added to an overall maximum height of 8ins	80.00
(ii) a headstone, or cross, not exceeding 3 feet in height, 3 inches thick, 2 feet wide	75.00
(iii) a vase not exceeding 8 inches in height	12.00
(iv) each additional inscription	15.00
Other Fees	
Fees for searches of register books and for copies and extracts to be taken there from fixed under Article II (3) of the Local Authority Cemeteries Order 1977	
1 Every search covering a period of not more than one year	5.00
2 Every search covering a period of more than one year: for the first year, and with 20p for each additional year	5.00
3 Every certified copy of an entry of burial in register books	7.00

These fees were considered and fixed at a meeting of Kesgrave Parish Council on the 13th day September 1973 and have been revised in part at subsequent meetings. This present revision was considered and fixed by Council at its meeting on 21st September 2020.

In exercise of the powers under Section 214 of the Local Government Act 1972, and the Local Authorities Cemeteries Order 1977 Council hereby makes the following regulations for the proper management, regulation and control of the Lawn Cemetery provided and maintained by Council.

These regulations were approved by Kesgrave Parish Council on 9th February 1998 and came into operation from 1st March 1998 thereby revoking all previous regulations.

In the construction of these Regulations the following words have the meanings respectively assigned to them unless such meanings be repugnant to or inconsistent with the context or subject matter in which such words occur, that is to say:

"Grave" means a burial place formed in the ground by excavation and without any internal wall of brickwork or stonework or any other artificial lining.

"The Burial Authority" means the members of Council for the time being.

"The Clerk" means the Clerk of Council acting as Clerk to the Burial Authority.

"The Cemetery" means the Kesgrave Lawn Cemetery.

"The Scattering of Ashes" means the placing of cremated remains beneath the turf in the Garden of Remembrance.

Notice of Interment

- 1 Notice of any Interment is to be given to the Clerk of the Burial Authority during reasonable hours and no application can be received nor any interment take place on Saturday, Sunday or Public Holiday except in very exceptional circumstance at the discretion of the Burial Authority.
- 2 The Notice of Interment is to be on the form provided by the Burial Authority and must contain a statement of the full name of the deceased, the occupation of the deceased, the age of the deceased, the permanent address of the deceased, the date of death and parish in which the death occurred, the day of the intended burial and the hour, the situation and description of the grave and whether the grave has been purchased. Responsibility for error therein shall rest with the person giving Notice.
- 3 The Burial Authority will not accept responsibility for any error or delay consequent to any Notice being sent by post. Instructions will be accepted by telephone, but such instructions must be confirmed on the proper Notice within the following 24 hours or within one clear working day before the day fixed for burial.
- 4 Burial fees and charges become due on giving a Notice of Interment and such fees and charges which are set out in the Burial Authority's table of Fees and Regulations may be varied from time to time by the Burial Authority.
- 5 The Burial Authority will only accept Notices of Interment from recognised Funeral Directors. Applications will not be accepted from private individuals.

Interments

- 6 The Certificate or Order should be delivered to the Clerk without delay and no later than the day prior to the burial. In any instance where a Certificate or Order has been issued but is not immediately available then a declaration must be completed before the burial may proceed.
- 7 The consent in writing of the owner of a purchased burial plot to interment therein must be delivered to the Clerk with the Notice of Burial.
- 8 No burial may take place before 10.00 in the morning or after sunset without the special permission of the Burial Authority.
- 9 Funeral Directors shall come under the direction of the Clerk immediately on entering the Lawn Cemetery. They must provide sufficient bearers for carrying and lowering coffins into graves.
- 10 Funeral Directors must arrange where necessary for memorials and associated fixings, plinths, and landings to be removed from the cemetery to allow graves to be re-opened.
- 11 Responsibility for any memorial removed in error will remain with the Funeral Director at whose expense reinstatement will be carried out to the satisfaction of the grave owner.
- 12 Reinstatement of memorials following interment is not recommended until a period of 6 months settlement has elapsed after which the instruction of the owner of the Exclusive Right of Burial or their representative to the Funeral Director/Stonemason may be carried out.

Scattering of Ashes

- 13 All fees and charges according to the schedule herein are to be paid to the Clerk and before the work in respect of which such fees and charges are payable is commenced.
- 14 The selection of the site for scattering of ashes shall be in the sole discretion of the Burial Authority, usually in the month of cremation, but the wishes of any applicant will be met as far as it is practicable to do so.

- 15 All excavation for scattering within the Lawn Cemetery will, without exception, be the responsibility of the authorised Funeral Director.
- 16 All scattering plots will be excavated to allow two independent ashes of cremated remains to take place.
- 17 After the interment of ashes the Funeral Director will cover the ashes and replace the protective covering over the hole. The remaining soil and turf will be replaced by the Burial Authority within 24 hours.
- 18 No trees, shrubs or plants shall be planted in the scattering area.
- 19 Vases, jam jars, milk bottles, or similar jars or bottles or receptacles shall not be allowed upon the scattering area and the Burial Authority reserves the right to remove such vases, jars, bottles, or other receptacles from graves together with any dead vegetation.
- 20 Floral tributes will be allowed in the purpose built pebbled trench within the scattering area with larger tributes at the entrance to this area.

Graves

- 21 All fees and charges according to the schedule herein are to be paid to the Clerk and before the work in respect of which such fees and charges are payable is commenced.
- 22 The selection of the site for any grave space either by way of general interment or of purchase shall be in the sole discretion of the Burial Authority, but the wishes of any applicant will be met as far as it is practicable to do so.
- 23 No body shall be buried in a grave unless contained in a coffin bearing a non-perishable nameplate which gives details regarding the name of the deceased and date of death.
- 24 All excavation of graves within the Lawn Cemetery will, without exception, be the responsibility of the authorised Funeral Director.
- 25 No coffin except a coffin constructed of wood or other approved and suitable material being of a perishable nature will be permitted. The use of Lead or Zinc linings is strictly prohibited.
- 26 Unless specifically requested all earthen plots and cremation plots will be excavated as double graves. For earthen plots, a depth of 7 feet/2.13 metres and for cremation plots a depth of 2 feet/0.61 metres is required.
- 27 For a single grave space for persons of twelve years and upwards no grave shall be less than 5 feet/1.52 metres in depth nor for those under the age of twelve years less than 4 feet 6 inches/1.37 metres in depth from the surface of the ground.
- 28 In purchased grave spaces a layer of earth 6 inches/15.24 mm in thickness at the least must be left between each coffin interred therein and 3 feet/0.91 metres of earth at least between the top of the upper coffin and the ordinary level of ground.
- 29 After interment of a body in the lawn cemetery the Funeral Director will replace the turf over the whole area of the grave.
- 30 After the interment of an urn containing ashes in a cremation Burial Plot the Funeral Director will replace the turf over the whole area of the grave.
- 31 No trees, shrubs or plants shall be planted on the grave.
- 32 All excess material emanating from the excavation of any grave must be placed in the enclosure at the south end of the cemetery. Mats, planks, boards, or canvas are to be used to preserve the grass and paths from injury during such works.
- 33 No grave in the lawn cemetery shall be raised by turfing or in any other manner above the level of the ground immediately adjoining. Allowance must be made for sinkage, but Funeral Directors will be held responsible for re-levelling before the expiration of six months if this is deemed necessary by the Burial Authority.

34 A Register of Burials will be kept by the Clerk and searches may be made therein and certified extracts obtained therefrom at all reasonable times at the discretion of the Burial Authority.

Grants of Exclusive Rights

- 35 Exclusive Right of Burial in a grave space may be purchased for a period of 50 years after which all rights return to the Burial Authority unless a further period of 50 years is again purchased at the fee current at the date of purchase of the further period. The ownership of the ground does not at any time pass from the control of Council, however, by proper application and payment of appropriate fees the right to erect a memorial will be granted. It is with good intention of Council that these plots will be in perpetuity but this decision cannot be legally binding.
- 36 The grantee shall be given a Certificate of Exclusive Rights of Burial, the detail of which will be recorded in a statutory register held at the Council Office.
- 37 The Certificate of Right of Burial shall be considered as the personal estate of the grantee and as such may be assigned in their lifetime or bequeathed by will. Every such assignment or probate of will should be produced to the Clerk, for the transfer to be duly registered.
- 38 No body shall be buried, nor cremated remains scattered onto or buried in a purchased grave until the consent of the owner is obtained or a transfer of rights has been registered, except for the burial of the grave owner in which instance no consent is required.
- 39 Persons who wish to have a plot of ground for use as a family burial place may, with the consent of the Burial Authority, purchase two or more contiguous burial plots each plot measuring 9 feet by 4 feet/2.74 metres by 1.22 metres, but in any such case the Regulations herein contained must always be observed and complied with and the duration of rights is limited to 50 years or for a further 50 years if again purchased.

Memorials

- 40 The Burial Authority will only accept applications for the erection of memorials from recognised Stonemasons.
- 41 No grave space shall have a memorial erected thereon unless the Exclusive Right of Burial therein has been purchased and proper application for permission to erect a memorial has been made by the registered owner and duly approved.
- 42 All headstones and inscriptions thereon are to be subject to the approval of the Burial Authority and a copy of every proposed inscription and a drawing showing the form and dimensions thereof must be left with the Clerk for at least two weeks for approval. The appropriate fee is due at the time of submitting the application.
- 43 The Burial Authority reserves the right to refuse to allow the placing of an inscription upon any memorial if in the Burial Authority's opinion, such an inscription is libellous or likely to cause offence to any person or body of persons.
- 44 Any memorials erected without written approval of the Burial Authority will be classed as unauthorised and will be subject to removal and storage until such time as a proper application is made and approved. A fee will be charged in respect of the removal and storage in addition to the appropriate erection fee.
- 45 All memorials will be inspected following their fixing by the person authorised by the Burial Authority and any discrepancies to the original application, incorrect positioning or siting, or suitable method of fixing shall be notified in writing to the Mason completing the work and to the owner of the Exclusive Right of Burial. Corrective and or remedial work must be completed to the satisfaction of the Burial Authority within 14 days of this written notification.
- 46 Failure to respond to any such request will result in further notification to the owner of the Exclusive Right of Burial advising the authority's intention to remove and store the memorial awaiting the necessary corrective or remedial works. Such removal and storage will be

subject to the charging of appropriate fees, payment of which will be held to be the responsibility of the mason at fault, and not the owner of Exclusive Right of Burial for whom they have acted.

- 47 The fees payable to the Burial Authority for the erection of memorials and the placing of inscriptions are set out in the Burial Authority's table of fees and may be varied from time to time by the Burial Authority.
- 48 All memorials when completed shall remain at the sole risk of the owner at all times and without liability to the Burial Authority for any damage which may occur to the same other than damage occasioned by the negligence of its officers, agents, servants or workmen.
- 49 All foundations, fixings and removal of memorials will be executed by the mason under the control of the Burial Authority and any damage caused to hedges, fences or ground in the course of any works executed shall be repaired or renewed by him to the satisfaction of the Burial Authority.
- 50 All rubbish, refuse, stone, or other surplus and waste materials emanating from the erection or repair or alterations on any memorial must be removed from the cemetery by the mason carrying out the work. Mats, planks, boards, or canvas are to be used to preserve the grass and paths from injury during such works.
- 51 No hewing or dressing of stone carried out by masons will be permitted within the cemetery.
- 52 No masonry work is permitted on Saturdays, Sundays, or Bank Holidays other than that which in the opinion of the Burial Authority is of extreme urgency for reasons of public safety.
- 53 The Burial Authority reserves the right to take such action as it deems necessary to maintain the proper aspect of the cemetery. Neglected or dangerous memorials may be removed by the Burial Authority if the owner after being advised fails to have the necessary repair work carried out. Any memorial so removed shall become the property of the Burial Authority to dispose of as it sees fit.
- 54 If the owner cannot be traced after reasonable enquiry the authority may instead serve notice by: –
 - a. Displaying the Notice in a conspicuous place in the Cemetery and
 - b. Publishing the Notice for two successive weeks in one or more newspapers circulating in their area. The Notice will then have the effect as if it had been served on the owner on the first date of its publication.
- 55 No flat stones laid horizontally nor memorials, metal vases, railings, fences, kerbs or other structures enclosing graves other than the headstones, wooden crosses and vases referred to in Rules 48 and 49, shall be permitted to be erected on graves in the cemetery with the exception of flat stones or plaques on Cremation Burial Plots.
- 56 Headstones and crosses on graves in the cemetery shall be erected vertically 3 inches/76.2 mm from the outer edge of the grave in line with the headstone of adjoining graves and in positions approved by the Burial Authority. Headstones shall not exceed 3 feet/0.91 metres in height, measured from the highest point of the ground immediately adjoining, 2 feet/0.61 metres in width, or 3-inches/76.2 mm in thickness and shall be of marble, British stone or granite. Headstones of any other material will not be allowed. Wooden crosses shall be constructed of two pieces of timber not less than 3 inches/76.2 mm in width and 2 inches/5.08 mm in thickness and not more than 6 inches/15.24 mm in width and 3 inches/7.62 mm in thickness, and when erected shall not exceed 3 feet/0.91 metres in height measured from the ground immediately adjoining the grave, nor have a span of more than 2 feet/0.61 metres and may be erected in place of headstones, such erection to be to the satisfaction of the Burial Authority. Flat stones or plaques, 1 foot 6 inches/0.46 metres by 1 foot 6 inches/0.46 metres or a wedge shaped stone, 1 foot 6 inches by 1 foot 6 inches maximum 4 inches high at rear and 2 inches at front, on a cremation plot only will be allowed on Cremation Burial Plots and shall be of marble, British stone or granite.

- 57 Vases of marble, British stone or granite may be set in the turfed area immediately in front of the headstones in the lawn cemetery. Such vases shall not exceed 10-inches/25.4 mm in diameter and 8-inches/20.32 mm in height. Such measurements shall include the base or landing on which the vase may be placed.
- 58 Vases, jam jars, milk bottles, or similar jars or bottles or receptacles shall not be allowed upon grave spaces and the Burial Authority reserves the right to remove such vases, jars, bottles, or other receptacles from graves together with any dead vegetation.

General

- 59 A person shall not by any violent or indecent behaviour prevent, interrupt or delay the decent and solemn burial of any body.
- 60 A person other than an Officer of the Burial Authority shall not except for the purpose of properly tending any grave, which he is authorised to tend, remove any flowers or wreaths placed on any grave.
- 61 A person shall not distribute any tract, business card, advertisement, or literature of any kind within the cemetery.
- 62 A person shall not cause or suffer any dog belonging to him or in his charge or care to enter or remain in the cemetery unless it is kept on a lead.
- 63 A person shall not sell or offer to sell or expose for sale in the cemetery any article, commodity, or thing of any kind whatsoever.

Last reviewed: 21 June 2021

Next review due: 21 June 2023