



CEMETERIES AND CREMATORIUM

CEMETERY RULES

These rules are in addition to the Local Authorities Cemeteries Order 1977, or any re-enactment, modification or revision thereof and are made pursuant to Regulation 3(1) thereto and under Section 214 of the Local Government Act 1972.



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1.0 MISSION STATEMENT

Halton Borough Council, acting as a burial authority, presently operates four cemeteries within the Borough. These are Halton Cemetery, Peel House Cemetery, Runcorn Cemetery and Widnes Cemetery. These cemeteries are operated primarily to meet the needs of the people of Halton.

In managing these facilities, the Council's mission is to:

- ensure that it satisfies burial or any other laws which may apply to such an operation
- treat those who make contact with us with the care, compassion and understanding appropriate when dealing with the bereaved
- ensure the safety of cemetery visitors and cemetery workers
- prevent any impediment to normal, sensible maintenance routines
- ensure that the character of the cemeteries so far as their upkeep / appearance etc. is concerned, is consistent with the wishes of the residents / cemetery users
- ensure that the bereaved may bury their loved ones and grieve for their loved ones in what the majority perceive to be appropriate surroundings (peaceful, dignified environments conducive to quiet reflection)
- cover the running costs so that they are not borne by the Council Tax payer by levying a range of fees and charges
- continually seek ways to improve our management of the cemeteries, with particular focus on the aesthetic quality of the grounds

2.0 OPENING TIMES

Contacting us:

- 2.1** Telephone enquiries may be made between the hours of 10.00a.m – 11.30a.m. Monday to Friday, The Office is closed on Saturday, Sunday, Bank and Public Holidays. If you wish to see a member of staff in person, please telephone or email (see below) to make a mutually convenient appointment.

Telephone - 0303 333 4300 or

Email – cemeteryenquiries@halton.gov.uk

Cemeteries

- 2.3** The four cemeteries are open to the public every day of the year but are closed to visitors at dusk, or thereabouts. The opening times are as follows:

November, December and January 9.00 am to 4.30 pm

February 9.00 am to 6.00 pm

March 9.00 am to 7.00 pm

April, May, June, July, and August 9.00 am to 8.00 pm

September and October 9.00 am to 7.00 pm

- 2.4** Daily times of closure will be displayed at the cemeteries' entrances and it is the responsibility of cemetery visitors to ensure that they leave prior to the displayed closing times, when the gates will be locked. It is an offence in law for unauthorised persons to be in the cemetery when it is closed to the public.
- 2.5** The Council reserves the right to close the cemeteries or limit the entry of persons thereto at any time without notice.
- 2.6** The Council accepts no responsibility for the health and safety of unauthorised persons, vehicles or other belongings in the cemeteries during the hours of closure.

3.0 GENERAL RULES CONCERNING CEMETERY GROUNDS

- 3.1** Visitors to the cemeteries are requested to keep on the roads and paths and not to walk across the graves, or to damage the shrubs or flowers.
- 3.2** Dogs are not allowed within the cemeteries, though this rule will not apply in respect of sensory dogs. Failure to comply with this rule may result in a fine via the courts or the issuing of a fixed penalty notice.
- 3.3** Prams and pushchairs must be in the care of a responsible adult.
- 3.4** The Council reserves the right to exclude from the cemeteries children who are not under the care of a responsible person.
- 3.5** Vehicular traffic must comply with all relevant traffic signs/instructions including the 5 mph speed limit, flow direction indicators and parking instructions. No parking of vehicles is allowed on grassed areas.
- 3.6** Vehicles, whose occupants do not have legitimate business within the cemeteries, are not allowed within the grounds of the cemeteries.
- 3.7** Vehicle drivers must be aware of, and give due consideration to pedestrians at all times, restricting speeds and giving way to pedestrians at all times.
- 3.8** No person shall canvas or solicit orders within the cemeteries. Anyone contravening this rule will render themselves liable to such action as the Council thinks necessary to prevent further breaches of the rule, including disqualification.
- 3.9** The form and placing of all memorialisation must comply with these cemetery rules. Certainly, no memorialisation shall be placed on or around trees or generally within the cemeteries' outside of the designated plot.
- 3.10** No alcohol is to be consumed within the cemeteries' grounds.
- 3.11** No sport or games are to be played in the cemeteries, including climbing or ball games.
- 3.12** Visitors must treat the cemetery environment and other people in the cemetery with respect, and must refrain from shouting, swearing or generally behaving in an abusive manner.
- 3.13** No person shall use threatening or abusive behaviour towards cemetery staff, nor shall any person prevent cemetery staff from carrying out their duties.

4.0 RULES RELATING TO GRAVES IN LAWNED SECTIONS OF THE CEMETERIES

Lawned sections are areas of the cemetery where open ground is maintained around the memorial headstones in the form of a lawn (grass area). In Peel House Cemetery and in the more modern areas of our older cemeteries linear concrete rafts are included within the lawned area onto which memorial headstones can be fitted.

- 4.1** On a lawned section the space that may be used on or around the grave for memorialisation is limited to the headstone and to an area extending:

Peel House Cemetery – 300mm (1ft) out from the front of the headstone and the 1220mm (4ft) width of the grave, an area known as “the soil border”. The rest of the grave space and its surroundings shall be grassed and free from obstructions.

Runcorn Cemetery - 457mm (1ft 6ins) out from the front of the headstone and the 915mm (3ft) width of the grave, an area known as “the soil border”. The rest of the grave space and its surroundings shall be grassed and free from obstructions.

Widnes Cemetery - 457mm (1ft 6ins) out from the front of the headstone and the 915 mm (3ft) width of the grave, an area known as “the soil border”. The rest of the grave space and its surroundings shall be grassed and free from obstructions.

- 4.2** Minimal memorialisation should be placed on graves between an interment and the making good of the lawn, to enable the periodic topping-up of the settled soil. All unauthorised items will be removed from graves both during this period and immediately prior to turfing.

- 4.3** As soon as convenient, and allowing for any settlement of the ground after an interment (which may take up to twelve months) the Council will create a lawn area over the whole of the grave except for the soil border.

- 4.4** Nothing whatsoever shall be placed or erected upon or about the turfed area, such area being maintained by the Council in perpetuity. The removal of turf from the turfed area is not allowed.

- 4.5** If after a period of two years, or at any time thereafter, it is found that the soil border is uncared for, the Council will make good the area.

- 4.6** Other than the headstone, memorialisation must be contained within the soil border and must not overspill the soil border so as to obstruct staff from mowing right up to the front-edge of the soil border. Rules on what is, and what is not allowed as general memorialisation on graves in Halton’s cemeteries can be found in Section 6 of this

document and adherence to these rules is particularly important.

- 4.7** The Council reserves the right to place on a grave, excavated material from a neighbouring grave (whether or not contained in a soil box) and in exceptional circumstances to move material and equipment, including mechanical diggers etc. over graves. However, in undertaking such work, the Council will always exercise due care and afford the level of dignity to the operation which would be expected in a cemetery environment. In addition, the Council will make good any damage that may be done during such work (Normally, a maximum of only two further interments will take place in an adjoining grave).
- 4.8** It should be noted that the vast majority of full-length graves in the cemeteries (as opposed to cremated remains graves) are capable of accommodating up to eight caskets of cremated remains in addition to their full complement of interments.
- 4.9** Sections that accommodate cremated remains graves are also lawned sections. However, the soil border on a cremated remains grave is:

Peel House Cemetery - an area extending 300mm (1ft) out from the front of the headstone and the 920mm (3ft) width of the grave.

Runcorn Cemetery – an area extending 457mm (1ft 6ins) out from the front of the headstone and the 610mm (2ft) width of the grave.

Widnes Cemetery - an area extending 457mm (1ft 6ins) out from the front of the headstone and the 920mm (3ft) width of the grave.

In all other respects rules 4.1, 4.4, 4.5 and 4.6 above apply equally to cremated remains graves.

5.0 RULES RELATING TO GRAVES IN NON-LAWNED SECTIONS OF THE CEMETERIES

Non-lawned sections are found in Halton Cemetery, Runcorn Cemetery and Widnes Cemetery. They are the older areas of the cemeteries where memorialisation often consisted of more than a headstone. Kerbs, tombs and other grave ornamentation is typical of these areas.

- 5.1** On a non-lawned section the space that may be used on or around the grave for memorialisation is limited to the headstone and to an area extending 1830mm (6ft) out from the front of the headstone and the 915mm (3ft) width of the grave. The surroundings of the grave shall be grassed and free from obstructions. Mounding up of graves is not permitted.
- 5.2** Minimal memorialisation should be placed on graves for approximately six months after an interment, to enable the periodic topping-up of the settled soil. All unauthorised items will be removed from graves during this period.
- 5.3** If after a period of two years, or at any time thereafter, it is found that the grave is uncared for, the Council will cause the grave to be made into a lawned area.
- 5.4** Other than the headstone, memorialisation must be contained within the area of the grave described in 5.1 above and must not overspill so as to obstruct staff from mowing or strimming right up to the front-edge or side-edges of the grave. Rules on what is, and what is not allowed as general memorialisation on graves in Halton's cemeteries can be found in Section 6 of this document and adherence to these rules is particularly important.
- 5.5** Where previous rules had permitted the use of official kerbs, and such kerbs are presently in situ, these official kerbs may remain and may be replaced. However, no kerbs may be placed around old graves under any other circumstances. If kerbs fall into a state of disrepair and become a danger to the public the council will remove them.
- 5.6** Where, in the opinion of one of our cemetery officers, a kerbed grave is no longer tended and in which the last interment took place at least 60 years ago, we may arrange for the removal of kerbs, the making-safe of any headstone memorial previously affixed to the kerbs and we may create a lawned area on it.
- 5.7** The Council reserves the right to place on a grave, excavated material from a neighbouring grave (whether or not contained in a soil box) and in exceptional circumstances to move material and equipment, including mechanical diggers etc. over graves. However, in undertaking such work, the Council will always exercise due care and afford the level of dignity to the operation which would be expected in a cemetery environment. In addition, the Council will make good any damage that may be done during such work. (Normally, a maximum

of only two further interments will take place in an adjoining grave.)

- 5.8** It should be noted that the vast majority of full-length graves in the cemeteries (as opposed to cremated remains graves) are capable of accommodating up to eight caskets of cremated remains in addition to their full complement of interments.

6.0 RULES RELATING TO GENERAL MEMORIALISATION ON GRAVES (E.G. VASES, TABLETS, PLANTING ETC.)

- 6.1** Authorised vases and/or tablets will be permitted on each grave. Vases/tablets, etc must not exceed 305mm (12ins) in height above ground level and must not extend beyond the soil border (on lawned sections) or the grave area (on non-lawned sections). Note that cemetery fees apply in respect of authorised vases and tablets and tablets whose dimensions exceed 305mm x 305mm x 762mm (12ins x 12ins x 30ins) attract the same fee as a permitted headstone. At Peel House Cemetery no tablets or granite slabs will be permitted in the allowed border.
- 6.2** Approved vases may also be incorporated in the stonework of headstone memorials, but if no headstone has been erected, vases/tablets, etc must be properly marked with the relevant cemetery section and grave number.
- 6.3** In addition to the above, the soil border (on lawned sections) or the grave area (on non-lawned sections) may be planted out with suitable flowers, plants and shrubs which should not exceed the height of a permitted headstone. No other forms of memorialisation may be placed on or around graves unless permitted by these cemetery rules.
- 6.4** Conifer species are specifically not permitted in the soil border (on lawned sections) or the grave area (on non-lawned sections) and the Council may request the grave deed owner to prune, cut-down or remove any flowers, plants or shrubs, which in the opinion of our cemetery officers, have become unsightly, overgrown or dangerous. Where the grave deed grantee does not take the appropriate action when requested, the Council reserves the right to take such action in default.
- 6.5** To protect the character of the cemeteries and avoid attractions that might encourage undesirable visitors during the hours of darkness, as a general principle “tea-light” lanterns and solar powered lights will be limited to two on any one grave. These must emit only a soft, white light and solar lights should preferably be in the lantern style. Together with their stand, lantern style lights should not exceed the height of a permitted headstone, whilst other styles of lights should not exceed 300mm (1ft) in height. (Please note rule 6.8 below, which relates to all manner of items, but which would specifically exclude lights powered other than by solar power.) The council will not accept any responsibility for damage or removal of such items.
- 6.6** Memorialisation in the form of wind chimes/windmills, neither of which should exceed 300mm (12ins) in height are permitted, but in terms of size and number on any one grave such memorialisation should be proportional so as not to disturb funeral parties or other visitors to the cemeteries.

- 6.7** In order that a proper standard of maintenance can be achieved efficiently and to give due regard to the safety of staff, certain items will be specifically excluded on the lawned sections and on new graves on non-lawned sections. These items are kerbs, border stones, edgings constructed of concrete, metal (including chains), timber, plastics, etc and chippings (of any material other than soft materials such as bark).
- 6.8** Other than the solar lights and wind chimes / windmills referred to in rules 6.5 and 6.6 above, items that are wind, solar, battery or powered in some other way so as to emit light or sound are specifically excluded from the cemeteries as such items (or a proliferation of such items) are perceived to have an adverse effect on the character of the cemeteries or on the tranquillity that funeral parties and bereaved visitors expect.
- 6.9** Any materials or items of memorialisation which, in the opinion of a council officer present a risk to the health and safety of cemetery workers or visitors will not be allowed. This includes, for example, fragile items made of glass, plastic, slate or lantern stands topped with a point. Any such materials or items will be removed by the Council without prior notice.
- 6.10** All memorials must be kept in good repair by the grantee. Whenever possible notice will be sent to the registered grantee in case of any repair being required, and after one month in default the Council may proceed to repair at the cost of the grantee.
- 6.11** All items of memorialisation are placed in the cemeteries at the grantee's own risk. The Council accepts no responsibility for any theft of, or damage to any form of memorialisation and for this reason it is recommended that items of any real sentimental or monetary value are not left on graves.
- 6.12** The Council reserves the right to remove any memorial, or any part thereof, from an adjoining grave or graves when such removal is deemed necessary for carrying out the work of interment in any grave. The Council will replace any such memorial, or part thereof, so removed, and make good any damage which may be done in such removal.
- 6.13** No memorialisation of any kind may be placed on any grave for which a grave deed has not been produced (e.g. a public grave). Any form of memorialisation found on such graves will be removed without notice.

7.0 RULES RELATING TO HEADSTONE MEMORIALS ETC. AND TO MEMORIAL WORKS

7.1 In these Rules:

BRAMM means the British Register of Accredited Memorial Masons

Licensed Fixer means a BRAMM accredited fixer

NAMM means the National Association of Memorial masons

NAMM Code of Working Practice means the NAMM Code of Working Practice for the time-being in force

NAMM standards means work complying with the NAMM Code of Working Practice

British Standard means BS 8415 – Monuments within burial grounds and memorial sites - Specification

Fixing includes all foundation works but does not include such things as cleaning memorials, un-fixing of memorials or lettering of memorials and **fixing work** shall be interpreted accordingly

Memorial works means any work associated with memorials whether or not involving fixing

Dimensions – precise metric measurements are quoted in these rules, together with their approximate imperial equivalents

7.2 This Section of the cemetery rules specifies who may undertake memorial works within the Council's Cemeteries as well as the standard of quality which shall apply to such works. This section of the cemetery rules shall not apply to the Council or to employees of the Council.

7.3 All memorial works shall comply with the NAMM/BRAMM Code of Working Practice/BRAMM Scheme, provided that:

- a) Where Memorial Works do not come within the NAMM Code of Working Practice (or where it is unclear whether the NAMM Code of Working Practice applies) or the BRAMM scheme the Council shall determine the standard to be applied;
- b) Where these cemetery rules apply a specific standard or requirement, these cemetery rules shall apply in preference to the NAMM Code of Working Practice, in respect of such standard or requirement;
- c) The Council reserves the right to use its discretion in the application of the BRAMM scheme / NAMM Code of Working Practice in specific cases, upon request.

7.4 Headstone memorials shall be placed back to back, in line with adjacent memorials or in accordance with the directions of Cemeteries and Crematorium staff.

7.5 All memorials (whether new or a re-fix), including kerb-type memorials, shall be erected to conform to the British Standard and the NAMM Code of Working Practice/BRAMM Scheme.

- 7.6** Headstone memorials must be fixed to the concrete strip foundation provided or, if such a foundation is not provided, to a proper foundation in accordance with the British Standard and the NAMM Code of Working Practice to ensure stability and prevent risk to the health and safety of persons employed in, or visiting the cemeteries. On concrete strip foundations, the back edge of the memorial base should be positioned 410 mm (16ins) from the edge of the concrete strip measured from the head end of the grave. At Peel House Cemetery the concrete strip foundation measures 610 mm (24ins) this must be taken into consideration when supplying and fitting a memorial.
- 7.7** In the absence of a concrete strip foundation, foundations for full sized graves shall be made of reinforced concrete or other suitable material that complies with the British Standard and the NAMM Code of Working Practice and is approved by the Council, measuring 1067 mm (42 ins) wide 508 mm (20 ins) in depth and 76 mm (3 ins) in thickness.
- 7.8** On “cremated remains” sections, headstone memorials must be no more than 610 mm (2 ft) in height above ground level, or above a permitted 76 mm (3 ins) high terrazzo or suitable material sub-base, 610 mm (2 ft) in width, and 102 mm (4 ins) in thickness. At Peel House Cemetery any terrazzo must not exceed 310mm (12ins).
- 7.9** On all graves other than those referred to in 7.8 above, headstone memorials must be no more than 1070 mm (3 ft 6 ins) in height above ground level, 915 mm (3 ft) in width, and 152 mm (6 ins) in thickness.
- 7.10** It is permissible for a “cover slab” to be installed in the soil border of graves in the lawned sections of the cemeteries. These should measure 610 mm (24 ins) wide 458 mm (18 ins) in depth and 76 mm (3 ins) thick on cremated remains sections, 915 mm (36 ins) wide 458 mm (18 ins) in depth and 76 mm (3 ins) thick on other sections. These must be separate items from the memorial base or foundation and an application form for such items must be submitted in the normal way (and the due fee paid). At Peel House Cemetery cover slabs/tablets etc. are not permitted.
- 7.11** Only BRAMM/ NAMM accredited businesses may carry out memorial works within the Council’s cemeteries. BRAMM accredited businesses carrying out memorial works within the Council’s cemeteries must employ (to include on a sub-contracting basis) Licensed Fixers to carry out fixing work, provided that this rule shall be deemed to be complied with if every ‘team’ carrying out fixing work has at least one Licensed Fixer. For example, if a BRAMM accredited business has three teams working on three memorials there is a requirement to have at least three Licensed Fixers (one working/supervising on each memorial). No fixing work in cemeteries on any memorial shall take place without a Licensed Fixer being present.
- 7.12** BRAMM accredited businesses carrying out memorial works within

the Council's cemeteries which do not constitute fixing work, shall not be required to use Licensed Fixers for such work.

- 7.13** The Council shall operate a local Memorial Mason Registration Scheme for accredited businesses. .
- 7.14** From 1 January 2009, no memorial mason firm may carry out memorial works in the Council's Cemeteries unless they have signed up to the local Memorial Mason Registration Scheme in accordance with Rule 7.13 above, and in signing-up to such registration scheme, shall agree as part of such registration to be subject to the disciplinary procedure and other requirements contained therein.
- 7.15** The local memorial mason registration scheme will be available to any BRAMM accredited memorial mason firm that presently works, or intends to work, within the Council's four cemeteries. However, Memorial masons firms that have been barred from performing work in any cemetery whether in the Council's area or elsewhere within the previous two years (2 years) will be ineligible to join the scheme.
- 7.16** No memorial works shall be carried out unless a permit has been applied for and issued by the Council. Such permits must be available at all time on site for inspection by any Cemeteries and Crematorium Officer or agents acting on behalf of the Council during the execution of the works and during the presence of the contractor in the cemetery in relation to the execution of the works.
- 7.17** No memorials shall be conveyed into or out of the cemeteries without the prior approval of the Council.
- 7.18** Headstone memorials must conform to the general designs approved by the Council (for dimensions see rules 7.8 and 7.9 above).
- 7.19** The materials used in the construction of memorials must be of durable natural stone, marble, granite or other similar materials.
- 7.20** Wooden memorials will only be permitted in special circumstances on written application to the Council, or to mark a grave once a headstone has been applied for.
- 7.21** The Council accepts no responsibility for any damage caused to any memorial unless caused by the act or default of its employees or contractors working on its behalf.
- 7.22** Details and drawings of any proposed memorial including details of the foundation and/or the method of fixing, and inscription thereon must be submitted to the Council for prior approval, using the prescribed form (to be obtained at the cemetery office). The form must be signed by the registered grantee of the right of exclusive burial in a grave. No memorial will be permitted without such grantee's consent.

- 7.23** When, in the opinion of the Cemeteries and Crematorium Manager, memorials are no longer maintained in good repair and proper condition, they may be removed by order of the Council.
- 7.24** In the event of memorials in the opinion of the Council becoming unstable, so as to present a risk to the health and safety of persons employed in or visiting the Cemetery, the Cemeteries and Crematorium Manager will take appropriate action, in line with the Risk Management Strategy for Safe Headstones.
- 7.25** If any memorial or other work to be erected or made is in violation of these rules, the memorial or work may be removed at any time by the Council, without notice, at the cost or expense of the person responsible thereof.
- 7.26** All memorials must be conveyed into the Cemetery, erected and removed, at the expense of the grantee of the exclusive right of burial, and every memorial must have inscribed upon it the number of the grave or vault on which it is to be erected.
- 7.27** No hewing of stone will be permitted within the Cemetery walls or approaches thereto and all materials for monuments and memorials shall be conveyed into the Cemetery in such a manner under the direction of the Cemeteries and Crematorium Manager, as will avoid the cutting up of the roads, paths or verges.
- 7.28** The fixing of memorials is not allowed on Saturdays, Sundays or Public Holidays. Erectors or masons are requested to note that no work incidental thereto will be permitted after normal cemetery office hours in the cemeteries, without the prior written permission of the Cemeteries and Crematorium Manager.
- 7.29** Work of every description must proceed continuously and be completed without unnecessary delay. This applies, in particular, to memorials awaiting re-erection.
- 7.30** The re-instatement of a grave after the fixing or re-fixing of a memorial or any other memorial work is the responsibility of the memorial mason firm concerned, who must ensure that the grave and the area around the grave is left in a clean and tidy condition to the satisfaction of the Cemeteries and Crematorium Manager.
- 7.31** All memorials, or materials for fixing memorials into position, admitted into the cemetery or permitted to be erected therein shall be so conveyed, erected, remain and removed at the owner's risk and the Council shall not be held responsible for any damage or breakage occurring to, or loss of any such materials howsoever caused.
- 7.32** The memorial mason firm erecting a memorial (whether new or a re-fix) shall arrange for the relevant section and grave numbers to be engraved in not less than 20 mm (3/4 inch) lettering on the right-hand side face of such memorial and 50 mm (2 ins) above the ground level prior to its erection within the cemetery).
- 7.33** The memorial mason firm erecting a memorial (whether new or a re-fix) shall arrange for the firm's name to be engraved in no more than

20mm (3/4ins) lettering on the base of the memorial.

- 7.34** Any employee or subcontractor of a memorial mason firm breaching any applicable cemetery rule will render themselves liable to such action as the Council thinks necessary to prevent further breaches, including disqualification. Memorial mason firms that breach, or whose employees or sub-contractors breach any applicable cemetery rule will render themselves liable to the disciplinary procedures contained in the local memorial mason registration scheme referred to in rule 7.13 above.
- 7.35** Kerb-type memorials are not allowed in any of the Council's four cemeteries unless they are replacing an existing kerb-type memorial that has been supplied and fitted officially and must feature previously in burial registers, as a kerb-type memorial.
- 7.36** Any replacement kerb-type memorials must be in keeping with the current Cemetery Rules, i.e. maximum height and width. The overall length of the memorial must not exceed 1.98 metres (6 ft 6ins) and the memorial MUST be fitted on a single one-piece foundation as stated in the NAMM Code. Sectional foundations will only be allowed on multiple grave spaces.
- 7.37** An appointment system is in operation for the fitting of all memorials. Monumental Masons must email cemeteryenquiries@halton.gov.uk or telephone 0303 333 4300 for an appointment time at least two working days before work is planned to take place.
- 7.38** The Council allows three methods of cleaning memorials within its cemeteries:
- Cleaning by hand, using abrasives such as carborundum blocks
 - Cleaning by machine, using grinding discs
 - Cleaning using chemicals
- Each process is subject to the approval of the Council and the Council reserves the right to remove any of the processes without prior notice.
- 7.39** When applying to carry out cleaning work, the memorial mason firm will be required to state which method will be used, and where chemicals are to be used, to state what the chemicals are. Permits granted for cleaning work will be accompanied by a health and safety requirements sheet that the firm / operatives will be expected to follow.

8.0 GARDENS OF REMEMBRANCE AND ABOVE GROUND VAULTS

- 8.1** The selection of the site of an above ground vault for cremated remains is subject to the approval of the Council. Such vaults are only permitted in the Gardens of Remembrance in Peel House, Runcorn and Widnes cemeteries.
- 8.2** Each above ground vault includes a flower container. No other forms of memorialisation should be placed on or around the vault and any items so placed may be removed without notice.
- 8.3** No vases or other forms of memorialisation should be placed on the scattering beds of the various gardens of remembrance in the cemeteries. However, the laying of cut flowers on these beds is permitted.

9.0 MEMORIAL BENCHES

- 9.1** No memorial benches are permitted in the cemeteries other than those for which a grant has been made by the Council. In Peel House Cemetery benches are already in situ and memorial plaques can be fitted to them. No person shall be permitted to provide their own bench.
- 9.2** The Council will produce “bench plans” for the cemeteries and for the Four Seasons Gardens of Remembrance for the positioning of wooden seated benches in the general areas of the cemeteries and granite benches in the aforesaid Gardens of Remembrance.
- 9.3** Benches will be placed only on bases and in locations provided by the Council, which could be subject to change.
- 9.4** Anyone who is given a grant for a bench from the Council must accept full responsibility for the maintenance of the bench and if, in the opinion of the Council, a bench has not been adequately maintained, it will be removed and disposed of.
- 9.5** The Council will not be held responsible for any theft or damage to a bench unless caused by the act or default of its employees or contractors.
- 9.6** Benches will remain the property of the Council at all times.
- 9.7** Bench grants are given on the understanding that they are a facility which may be used by any cemetery visitor and are not for sole use of any individual.
- 9.8** Other than the official plaque or plaques that may be fitted to a bench, no other forms of memorialisation should be placed on or around the bench, its base or its immediate surrounds.
- 9.9** At Peel House Cemetery granite memorial benches will be provided by Halton Borough Council in designated spaces with the option for families to lease a memorial plaque to be fixed to the bench. No other benches will be permitted in Peel House Cemetery.

10.0 FUNERAL BOOKINGS AND SITE ARRANGEMENTS

- 10.1** No burial shall take place, no cremated human remains shall be scattered and no memorial shall be placed in a cemetery and no additional inscription shall be made on a headstone or other memorial without the permission of the Council.
- 10.2** All notices must be given on forms provided by the Council on which shall be stated the age and normal residence of the deceased during the three months prior to death; the date and place of death; the length, width and depth of coffin; whether private or public; the day and hour of the funeral; the particulars of the Minister who is to officiate, and the name and address of the Funeral Director.
- 10.3** It is vital for the efficient working of the cemetery that the information as to the length, width and depth of the coffin is accurate. An additional charge will be made for any work that may be involved as a result of inaccurate dimensions being provided.
- 10.4** All instructions must be given in writing and addressed to Cemeteries & Crematorium Office at Picow Farm Depot, Picow Farm Road, Runcorn, WA7 4UB.
- 10.5** At least two clear days notice (exclusive of Saturday, Sunday and Public Holidays) must be given before an interment takes place and all paperwork must be received 48 hours before an interment takes place. This rule may be relaxed in the case of death certified to be due to an epidemic disease.
- 10.6** All fees and charges incidental to interments and payable to the Council shall be paid at the time when such notices are given, unless a written agreement exists with the Council, and the receipt for such fees and charges shall be produced at the time of interment. A table of such fees shall be kept and exhibited at the cemetery office.
- 10.7** A certificate of registration of death or a coroner's order must be produced before burial takes place.
- 10.8** No grave or vault in which the right of burial has been granted shall be opened unless the deed of grant is produced together, if necessary, with the owner's consent in writing. If the grant is not available, the Council may call for such proof of grant as they may reasonably require and a Form of Indemnity must be completed by the person claiming to be the grantee or the executors of the deceased owner. The Council will not be liable if a grave or vault is opened in error.
- 10.9** Subject to compliance with the other requirements of these rules, no authority is required for the burial in any grave or vault of the registered grantee of the exclusive right.
- 10.10** Upon the death of the registered grantee of the exclusive right, the person claiming the title to the right of burial must produce satisfactory evidence of title before any grave or vault is opened otherwise than in accordance with Rule 10.9.
- 10.11** An grantee of a exclusive right of burial who wishes to assign their

right may do so by means of a written assignment in a form to be approved by the Council. Until such assignment has been produced to and registered by the Council, the assignee shall not be entitled to exercise any rights under the grant. However, where a resident of Halton Borough wishes to assign their right to a non-resident of the Borough, then an additional fee shall be charged based on the difference between resident and non-resident fees applicable at the time, but reduced proportionately by the number of whole years of the lease that have expired.

- 10.12** The charge for interment in a public grave does not include any right or privilege other than a right of burial in a grave to be selected by the Council.
- 10.13** The fees charged by the Council include everything connected with the specified items and no employee servant or agent of the Council is allowed to receive any gratuity whatsoever.
- 10.14** The purchaser of the Exclusive Right of Burial will be furnished with a Grant of the same.
- 10.15** The grantee shall not have the power of transferring the Right of Burial in any grave without the consent of the Council except by Will.
- 10.16** Any person succeeding to a Grant under a Will or Intestacy must notify the Council in writing of the change of grantee and the Council reserves the right to view appropriate documentation to prove their claim.
- 10.17** The selection of a grave space shall be subject to the approval of the Council and consistent with their general plan. The position of public graves will be determined by the Council.
- 10.18** All graves are to be dug and excavated under the management, regulation and control of the Divisional Manager (Open Space Service) and their designated officers.
- 10.19** For a new grave in respect of which an exclusive right of burial is to be granted, care must be taken to see that the name of the proposed registered grantee is correct.
- 10.20** No body shall be buried in a grave unless the coffin is effectively separate from the coffin interred in the grave on a previous occasion by means of a layer of earth not less than 150mm thick.
- 10.21** When any grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove any soil that is offensive from the grave.
- 10.22** No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave. Provided that the burial authority may, where they consider the soil to be of suitable character, permit a coffin made of perishable materials to be placed not less than two feet below the level of any ground adjoining the grave.

11.0 FUNERAL SERVICES

- 11.1** The time fixed for a funeral is that at which the procession is due at the cemetery and such times must be strictly observed. In the event of a funeral arriving late, the funeral must wait as and where directed by a Cemeteries and Crematorium Officer until it is convenient for it to proceed. When a notice of interment has been given, any alteration of arrangements will only be permitted at the discretion of the Council in respect of any work that may have already been executed and any other expenses that may have been incurred.
- 11.2** Only one funeral will be allowed in the chapel at any one time, except with the consent of the parties concerned.
- 11.3** If offensive odours or liquids issue from any coffin brought for interment, a Cemeteries and Crematorium officer may order that the coffin shall not be brought into the Chapel.
- 11.4** Persons in charge of military or other large funerals must make prior arrangements with the Council.
- 11.5** No band or music shall be played and no extra demonstration of any kind shall be allowed within the Cemetery unless the consent of the Council has first been obtained.
- 11.6** The Council are not responsible for notifying a Minister of Religion to attend a funeral.

12.0 DISPUTES CONCERNING A CEMETERY RULE OR THE INTERPRETATION OF A CEMETERY RULE

- 12.1** If any cemetery user or visitor has a specific and relevant concern with regard to any cemetery rule or the interpretation of any cemetery rule they should, in the first instance, endeavour to resolve their concern by raising it with the Cemeteries and Crematorium Business Manager by writing at or telephoning 0303 333 4300.
- 12.2** If a concern cannot be resolved via a dialogue under 12.1 above, the user or visitor should request the Council's step-by-step guide to making a complaint about the Council's services. This guide explains the Council's formal complaints procedure and includes a complaint form.

13.0 ALTERATIONS AND AMENDMENTS TO THE CEMETERY RULES

- 13.1** The Council reserve to themselves the right from time to time to make any alterations, additions, or amendments to the Cemetery rules.
- 13.2** Having regard to 13.1 above, no officer or member of the Council shall grant any concession that waives any of the cemetery rules.
- 13.3** Every person to whom the Council have by deed granted the exclusive right of burial in a grave in the Cemetery, or the successor in title of such person to such right, will be deemed to have agreed to be bound by these rules and any further amendments thereto, and by additional or substituted rules that may hereafter be duly made.
- 13.4** Every person authorised to carry out works on behalf of the persons to whom the Council have by deed granted the exclusive right of burial in a grave in a cemetery, or the successor in title of such person to such right, will be deemed to have agreed to be bound by these rules and any future amendments thereto; and by additional or substituted rules that may hereafter be duly made.
- 13.5** Any indemnity or disclaimer of liability herein shall be construed for the benefit of the Council, its members and officers, servants and agents in both contract and tort.
- 13.6** All Cemetery Regulations and Rules made by the Council prior to the adoption of these Rules are hereby revoked.

14.0 OFFENCES IN CEMETERIES

- 14.1** Article 18(1) Local Authorities Cemeteries Order 1977 (“LACO77”) provides that no person shall:
- (a) wilfully create any disturbances in a cemetery;
 - (b) commit any nuisance in a cemetery;
 - (c) wilfully interfere with any burial taking place in a cemetery;
 - (d) wilfully interfere with any grave, walled grave or vault, any tombstone or other memorial, or any flowers or plants or any such matter; or
 - (e) play at any game or sport in a cemetery.
- 14.2** Article 18(2) LACO77 provides that no person other than an officer or servant of the burial authority or a person so authorised by or on behalf of the burial authority shall enter or remain in a cemetery at any hour when it is closed to the public.
- 14.3** Every person who contravenes the foregoing shall be liable on summary conviction to a fine not exceeding Level 3 on the standard scale (see Article 18 of the Local Authorities Cemeteries Order 1977).
- 14.4** It is a criminal offence under Article 19 of the Local Authorities Cemeteries Order 1977 to contravene rules 10.1 and 10.20 to 10.22. On summary conviction, anyone contravening any provision of these rules is liable to a fine not exceeding Level 3 on the standard scale and up to £10 per day for a continuing offence after conviction..

Adopted: 21 December 2020

Reviewed: 17 December 2029



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Ian Leivesley – Strategic Director (Enterprise, Community & Resources)