

# Milton Parish Council - Cemetery Regulations

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## Appendix A Cemetery Fees

All regulations, indicative map, list of fees, and booking forms are available for download from the Milton Parish Council website [www.miltonvillage.org.uk](http://www.miltonvillage.org.uk) or on request from the Clerk of the Parish Council.

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## 1 Introduction

The Cemetery Grounds are maintained as a peaceful and welcoming place for everyone to remember their loved ones. The Cemetery is the responsibility of Milton Parish Council and is available for all Milton residents regardless of faith, culture or ethnic identity. Separate areas will not be set aside for people of different religions or cultures.

- a) The following regulations have been issued by Milton Parish Council for Undertakers and relatives of those interred in the Cemetery. They are designed to cover burials in grave spaces, burials of cremated remains, and the type of memorial or headstone that may be erected on a grave space or cremation plot.
- b) A list of fees for the exclusive right of burial, interments, memorials and inscription is available from the Parish Clerk (see Appendix A).

## 2 Cemetery Layout

**Lawn Section:** means those parts of the cemetery containing graves which are returned to lawn following burials and interments for which planting, or any other memorial is not permitted in front of the headstone.

**Traditional Section:** means those parts of the cemetery containing graves which can be enclosed with kerb surrounds and within the kerbs it may also contain a headstone, flat or sloping tablets, decorative stone, slate, ornaments, flower vases, memorials, solar lights or planting in front of the main memorial but no shrubs or trees.

**Ashes Section:** for interment of ashes only.

## 3 Exclusive Right of Burial

- a) The grant for exclusive right of burial in a single grave space or of ashes in a cremation plot will be for a period of 100 (one hundred) years from the date of burial.
- b) Unused burial rights may later be transferred providing the new nominee meets the eligibility criteria in section 4) below.

## 4 Application for Interment or an Ashes Plot

- a) All applications for burials, interment of ashes, memorials, plaques and headstones will come to Milton Parish Council from a local Funeral Director / Undertaker or Memorial Mason on the Interment Booking Form and the Memorial Booking Form. These forms are available for download from the website or on request from the Parish Clerk. The Parish Council will not consider any requests from individuals.
- b) The Cemetery is for residents of Milton only. The right of interment, the erection of memorials and reservation of grave or ashes spaces is exclusive to residents of Milton village.
- c) A resident of Milton is defined as:
  - 1) A person who was resident in the Parish at the time of death. A Council Tax bill or utility bill, or evidence that the deceased was on the electoral register in the parish for at least 6 (six) months during the previous 5 (five) years must be provided.
  - 2) A minor whose parent or guardian satisfies the resident criteria as in 4.c.1.
  - 3) A resident who has moved from Milton to a nursing home or other supervised accommodation. Historical data must be provided confirming that they were resident in Milton immediately prior to their move into supervised accommodation.

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- 4) Any other claim of connection to Milton needs to be accompanied by historic resident criteria data as in 4.c.1. If required, the Applicant maybe asked to sign a waiver to give SCDC (or others) permission to confirm residency. Applications will be considered by Milton Parish Council at a Council Meeting and the Applicant must expect a delay whilst the claim is considered.
- d) Funeral Directors must provide clear evidence of compliance with the residency qualification to the Clerk at the time of application.
- e) The Clerk will allocate the plot within the relevant section of the cemetery.

### **5 Funeral Directors/Undertakers and Memorial Masons**

- a) The Cemetery Regulations, and the scale of fees that form part of these Regulations are available on request from the Funeral Director arranging the funeral.
- b) The Clerk shall ensure the Funeral Director has 2 (two) copies of the Regulations when an application is made. Both copies must be signed by the applicant and 1 (one) completed copy shall be returned to the Clerk.
- c) The Funeral Director shall confirm to the Clerk that they are in receipt of the relevant Cemetery Regulations.
- d) Funeral Directors must hold an appropriate public liability and third-party insurance policy and have in place a health and safety policy.
- e) Funeral Directors and Memorial Masons must ensure that design of headstones and memorials including inscriptions have received the written approval of Milton Parish Council.
- f) Funeral Directors shall give the Clerk a minimum of 5 (five) working days' notice of any planned funeral or interment. In the case of a military funeral or one at which an exceptional number of persons is expected, the Clerk shall be notified 10 (ten) days in advance.
- g) It will be the responsibility of the Funeral Director to arrange the digging of graves and ashes plots by a gravedigger approved by the Parish Council.
- h) A coffin shall not be interred in a grave in such a manner that any part of it is less than 24inches/60cms below the level of the adjacent ground.
- i) All tools for the digging, erection or reinstatement of graves shall be used in such a manner to ensure that a minimal amount of damage is caused.
- j) As far as possible headstones shall be laid out in an orderly and regular grid pattern to allow the Cemetery to be properly maintained.
- k) A coffin grave shall be dug so that the rear face of the headstone shall be in line with the rear face of existing headstones in the same row.
- l) A coffin grave plot will be provided which shall be 7' (84inches/213cm) long and 4' (48 inches/122 cm) wide.
- m) An ashes plot shall be 1' 6"(18inches/45cm) square in size.
- n) All plots shall be set out in alignment with existing plots.
- o) For coffin graves and ashes plots, when a new row is to be dug, the Funeral Director is to agree the location with the Clerk before any excavation takes place.
- p) All graves shall be dug in such a way that sufficient space is allowed for the upkeep and repair of the grass between graves and to retain the integrity of existing plots.
- q) Grave plots must not be lined with brick or any other material.
- r) The Certificate of the Registrar of Deaths, or Certificate of the Coroner must be received by the Clerk prior to interment taking place.

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- s) The Certificate for burial of ashes issued by the Registrar of the Crematorium must be given to the Clerk before the interment of ashes takes place.
- t) Coffins shall be marked with a non-perishable plaque or nameplate showing the name of the deceased.
- u) Consent for interment will not be given until the Clerk has been provided with all the requested information and the fee has been paid.

### **6 Purchase and Reservation of Graves and Ashes Plots**

- a) Milton Parish Council will only reserve plots in the following instances subject to resident eligibility (see section 4):
  - 1) When an interment is booked following the death of one spouse/partner an adjacent plot can be offered to the other spouse/partner for reservation (at costs current at that time).
  - 2) When an interment is booked following the death of a child, an adjacent plot or plots can be offered to one or two parents for reservation (at costs current at that time).
  - 3) When an ashes interment is carried out an adjacent plot can be booked (at costs current at that time) or a second ashes interment is allowed in the same plot providing this is booked at the time of the original interment.

No other pre-purchase or reservation is permitted.

- b) Plots may be reserved following the death of a spouse/partner through the Funeral Director by application to the Clerk on the Interment Booking Form together with full payment of the relevant fee.
- c) Once the application has been approved in writing by the Clerk, the applicant has Exclusive Right of Burial lasting 100 (one hundred) years.
- d) This approval confirms the right to burial within a space in the Cemetery defined by the Clerk.
- e) Reserved plots will be maintained as grass by Milton Parish Council and must be kept completely clear of any objects or other planting prior to burial taking place.
- f) Approval does not constitute ownership of the plot, and the land itself remains the property of Milton Parish Council.
- g) After the expiry date the Exclusive Right to Burial ends.

### **7 Coffins**

- a) Coffins and caskets for interment of ashes should either be made of wood or biodegradable material. No metal coffins will be permitted in the cemetery.
- b) A body will not be allowed to be buried in any grave unless it is placed in a properly constructed coffin.

### **8 Digging and Reinstatement of Graves**

- a) The Clerk on behalf of the Parish Council will allocate and show the Parish Council approved gravedigger the location of grave spaces.
- b) It is the responsibility of the Funeral Director to arrange the digging of graves and ashes plots and ground reinstatement.
- c) All excess grave digging soil shall be removed from the Cemetery.
- d) Grave spaces must not be lined with brick or any other material.
- e) The cost of digging the grave is not included in the fee.

### 9 Cremation Plots

- a) The Parish Council does not permit the scattering of ashes within the cemetery.
- b) Subject to the Council's approval and the Burial Right owner's permission, ashes may also be interred into a burial plot where space allows and up to a maximum of two individuals' ashes may be interred into a cremation plot.
- c) Cremation plots will measure 1' 6" (18inches/45cm) square.
- d) The exclusive right to a memorial on a plot would be for the same period as the exclusive right of burial on the same plot and will not exceed this length of time.

### 10 Memorials

#### 10.1 General Information

- a) The Lawn, Traditional and Ashes parts of the Cemetery are shown in the map of the Cemetery which is available for download from the website or on request from the Parish Clerk.
- b) No temporary memorial shall be permitted other than a small marker placed upon the grave by the Funeral Director.
- c) No headstone or any other memorial shall be placed in the Cemetery without first obtaining the written consent of Milton Parish Council. Such consent will only be given if the headstone and memorial and inscription complies with the Regulations.
- d) The memorial should be constructed of granite, marble, nabresina or natural stone, of a colour already used in the cemetery. It should not be constructed of brick, wood, cane or reconstituted stone.
- e) The inscription shall be included on the Memorial Booking Form and must be approved by the Parish Council in advance.
- f) Milton Parish Council reserves the right to remove any headstone or memorial that is not fully compliant with the written approval previously issued by Milton Parish Council.
- g) Headstones will not be permitted to be erected until at least 6 months following the date of interment, to allow for any settlement of the soil. Thereafter a memorial may be erected subject to compliance with these Regulations and after acceptance of a completed Memorial Application Form.
- h) All memorials must be installed by an accredited Memorial Mason to comply with British Standard 8415. It is recommended that a mason should be registered with the NAMM or BRAMM.
- i) No memorial may be erected in the cemetery without the prescribed fee having been paid in full and permission granted first.
- j) Funeral Directors / Undertakers or Memorial Masons must obtain written permission for all memorials and inscriptions, including later additions or amendments from the Parish Clerk on the Memorial Booking Form.
- k) They should also notify the Parish Clerk of the day the memorial is likely to be erected.
- l) If a memorial is placed in the cemetery without prior approval and full payment a penalty charge of £100 plus any additional costs incurred will be made and it may be removed by the Parish Council (see section 20).
- m) All persons erecting a memorial must have Public Liability Insurance.
- n) The Council will not be responsible for any damage to memorials or headstones caused by weather conditions, wilful acts by third parties, maintenance contractors, funeral directors or memorial masons, their employees or their machinery; or whilst a topple test is being carried out.

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- o) Size of headstones and memorials:

**Standard plot:**

The maximum dimensions of the headstone shall be as follows:

- i. No higher than 3' (36inches/90cms) above the surrounding ground level
- ii. Maximum width 2' (24inches/60cms)

**Double plot:**

The maximum dimensions of the headstone shall be as follows:

- iii. No higher than 3' (36inches/90cms) above the surrounding ground level
- iv. Maximum width 5' (60inches/150cms)

- p) The applicant or the family of the deceased is responsible for the care of the headstone or memorial. Owners must keep all items on the grave in good repair.
- q) The Council reserves the right to remove any items contravening any of these conditions without prior notice.

### 10.2 Memorials – Lawn Section

- a) The areas of the cemetery on the right (north) of the path and to the left (south) of the path at the far (west) end is a lawn design and consequently only headstones may be erected on grave spaces.
- b) In the lawned area, only headstones fixed with a ground anchor through a plinth flush with the ground level are permitted (NAMM standard).
- c) Any container for flowers must be incorporated into the headstone plinth, such that it will not obstruct the passage of a mower.
- d) Permissions will only be given for replacement of pre-existing kerbs etc.

### 10.3 Memorials – Traditional Section

- a) In the Traditional Section, any kerbing is to be at most 6" (6inches/15cms) high from ground level.
- b) **All elements allowed (see "Section 2 Cemetery Layout" above) must be located inside the kerbing.**
- c) The concrete foundation landing around the grave shall be no more than  
Single plot – 7ft (84inches/213cm) long by 3' 2" (38inches/96.5cm) wide  
Double plot – 7ft (84inches/213cm) long by 7' (84inches/213cm) wide  
All elements of the memorial must fit within these dimensions. Nothing must be placed outside.

## 11 Ashes Plaques

- a) A single plaque may be erected on an ashes plot.
- b) Plaques must be no more than 1' 6" (18inches/45cms) square and positioned flush with ground level to aid grass cutting.
- c) The application should include full details of the plaque and the wording and must be approved by Milton Parish Council prior to installation.

## 12 Flowers and Floral Tributes

- a) For safety reasons glass vases are not permitted.
- b) Wreaths and cut flowers must be removed as soon as they appear to be withered or untidy.
- c) No trees or shrubs may be planted on or around a grave.

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- d) In the Traditional Section, any planting must be kept within the boundaries of the grave and must be no higher than the headstone.

### **13 Access to the Cemetery**

- a) Children under 16 (sixteen) years of age are not permitted to enter the Cemetery unless supervised and accompanied by an adult.
- b) All visitors must conduct themselves in a quiet, respectful and orderly manner.
- c) Persons showing the effects of excess alcohol or drug abuse will be asked to leave the Cemetery. Pursuant to the provisions of the Local Authorities Cemeteries Order 1977, it is an offence for a person to willfully:
  1. Create any disturbance in the Grounds
  2. Commit any nuisance in the Grounds
  3. Interfere with any burial taking place
  4. Interfere with any grave or memorial
  5. Play any game in the Grounds

### **14 Animals**

- a) Guide Dogs are allowed into the Cemetery.
- b) Owners must immediately clear up after their dog and take away any faeces.
- c) No other animals are allowed into the Cemetery.

### **15 Furniture**

- a) The council has agreed that there is no need for any additional seats or benches on the site at this time.
- b) Any additional furniture that has not been approved will be removed.

### **16 Vehicles**

- a) Vehicles are expressly prohibited from the Cemetery, except for mobility scooters, a hearse used by the Funeral Director, or a gravedigger's vehicle for the sole purpose of conducting a funeral or in connection with the erection of monuments. Contractors needing access for other vehicles and machinery must seek permission from the Parish Clerk.

### **17 Cemetery Maintenance**

- a) The Council shall be solely responsible for the upkeep and maintenance of the Cemetery Grounds.
- b) Any query about maintenance should be directed to the Parish Council.
- c) The Parish Council reserves the right to top up any graves.
- d) The Council shall not accept nor be liable for any damage or injury caused to or by any headstone or memorial.
- e) The Council reserves the right to prune any plant or shrub if it becomes neglected.

### **18 Safety**

- a) Undertakers must carry appropriate insurance, have in place a health and safety policy and comply with any other statutory requirements. They must ensure that any contractors employed by them also comply with this condition, including having public liability insurance.
- b) The memorial or headstone is the responsibility of the applicant or family of the deceased.

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- c) Milton Parish Council reserves the right to make safe any memorial or headstone that becomes unstable and to recover the reasonable costs of such action. Milton Parish Council may carry out topple tests on any headstone or memorial. Save in the case of an emergency that might result in injury, Milton Parish Council shall make reasonable efforts to contact the family of the deceased prior to taking action to maintain the safety of any headstone.
- d) It is the responsibility of all visitors and contractors attending the Grounds to take reasonable care of both their own and other people's safety.

### **19 Exhumation and Re-opening of Graves**

- a) When digging new graves or re-opening graves for subsequent interment of ashes, care shall be taken to ensure there is no disturbance of any surrounding graves.
- b) No coffin shall be removed from the Cemetery without the prior and express permission of Milton Parish Council and on the Order of a Coroner, a Court of Summary Jurisdiction or a Chief Constable.

### **20 Breaches of these Regulations**

- a) Any items which do not comply with these regulations or left outside graves including furniture will be removed. Any costs incurred by Milton Parish Council will be reclaimed.
- b) Removed items will be stored for collection for 3 (three) calendar months after which time they will be disposed of.
- c) Breaches of the above regulations will be brought to the attention of the applicant and may result in enforcement action.

### **21 Revisions**

- a) Revisions to the Regulations or Fees will be made by Milton Parish Council when deemed necessary.
- b) In the event that the Regulations change during the time between any reservations being made and interment taking place, the later Regulations shall apply.

### **22 Signing of this Document**

- a) The Parish Clerk will supply the Funeral Director with these Regulations when permission for an interment is applied for. They are also available on the Parish Council website together with the relevant booking forms.
- b) The forms must be signed by the applicant and the Funeral Director to confirm that they have read, understood, and will comply with the regulations.
- c) The original signed documents should be sent to the Parish Council office.
- d) The Funeral Director should ensure that the applicant has a copy and may keep a copy for their own records.



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### 23 Signatures

Name of deceased	
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Name of Applicant (next of kin/burial right owner)	
Signature of applicant	
Date	

Name of Funeral Director	
Signature	
Date	

#### **For Parish Office use**

Received by Clerk to Milton Parish Council

Signature	
Date	

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## Appendix A Cemetery Fees

### MILTON PARISH COUNCIL CEMETERY FEES

The relevant fee charges should be paid to the Clerk at the time of application, and consents will not be given until the costs have been received by Milton Parish Council's Clerk.

#### Burials

The exclusive rights of burial in a grave for an adult	£250
The exclusive rights of burial for a grave for a child up to 7 years	No charge
The exclusive rights of burial for a grave for a child aged between 8 and 18 years	£100*
Application for a single headstone or memorial	£110
Application for a double headstone or memorial (only permitted when 2 burials are in adjacent plots)	£250
Headstone for a child up to 7 years	£15 *
Headstone for a child aged between 8 and 18	£55 *
Request for any subsequent inscription or additional items within a plot	£30

#### Interment of Ashes

Interment of Ashes	£50
Memorial plaque for Ashes plot	£45

#### \*Children's Funeral Fund for England (CFF) Eligibility

CFF Funding is available for the stipulated fees and associated expenses incurred in the burial or cremation of a child if the following conditions are met:

- The child had not reached their 18th Birthday at the time of the death; or
- The child was stillborn after the 24th week of pregnancy (as defined in section 41 of the Births and Deaths Registration Act 1953)

Information on how to do this is available at:

<https://www.gov.uk/government/publications/childrens-funeral-fund-for-england> including a claim form.