



## **BOUGHTON UNDER BLEAN PARISH COUNCIL**

### **CENTENARY GARDEN OF REMEMBRANCE & NEW CIVIC BURIAL GROUND CEMETERY REGULATIONS**

*Effective from 10<sup>th</sup> February 1994. Revised April 2024*

The purpose of these regulations is to preserve and improve the visual amenities of the new cemetery in conjunction with the original churchyard in the interests of this and future generations.

#### **GENERAL**

##### **Interpretation**

- These Regulations shall apply to the new Burial Ground and Garden of Remembrance owned and maintained by the Council and situated to the southwest of the Churchyard at the Parish Church of St Peter and St Paul, South Street, in the Parish of Boughton-under-Blean near Faversham, Kent.
- In these Regulations the following expressions shall have the meaning hereby assigned to them:
  - “**The Council**” means the Boughton under Blean Parish Council local Civic Authority
  - “**Cemetery**” means the combined new Burial Ground and the Garden of Remembrance
  - “**LACO**” mean the Local Authorities Cemeteries Order 1977
  - “**Purchased Grave**” means a grave in respect of which a grant of exclusive right of burial has been granted
  - “**Cemetery Registrar**” means the Clerk to the Parish Council who is the Officer appointed by the Council for the Management of the new Burial Ground and Garden of Remembrance
  - “**Parish**” means the civic parish of Boughton under Blean
  - “**Resident of the Parish**” means any person having a permanent residence within the civic parish of Boughton under Blean
  - “**Resident of Dunkirk**” means any person having a permanent residence within the civic parish of Dunkirk

##### **Qualification for Interment**

- The new Burial Ground and Garden of Remembrance are established by the Council for the exclusive benefit of the residents of the parish. No person, not being a resident of the parish at the time of their demise, shall have any right or entitlement to interment within the Burial Ground or to have cremated remains interred or scattered in the Garden of Remembrance excepting that:

The Council shall, until any such time as may be otherwise determined, permit the burial of any person or cremated remains of any person or scattering of ashes of any person who, at the time of their demise were:

  - a resident of Dunkirk
  - a person living out of the parish in sheltered or other accommodation who had previously been a resident of the parish for a period of not less than ten years
  - consideration may also be given for the interment or scattering of cremated remains of a non-resident of the parish upon application being made for such interment or scattering by a relative of the deceased who is a resident of the parish.
- These concessions shall not at any time express, establish or give any right of burial to any persons to whom the concessions may apply, nor shall the Council be under any obligation at any time to grant any person burial within the Burial Ground or Garden of Remembrance that was not at the time of their demise a resident of the parish.

## **Layout of the Cemetery**

- The Burial Ground is divided into two plots:
  - SECTION A (to the left of the pathway) shall be the main section for general burial purposes. Grave spaces shall be arranged in rows running parallel to the main pathway. Grave spaces shall be allocated in strict sequence.
  - SECTION B (to the right of the pathway) shall be, unless otherwise determined by the Council, reserved for the possible allocation of grave spaces in adjacent pairs in such circumstances that may at any time be considered appropriate, or for any other special purposes.
- The Burial Ground and Garden of Remembrance shall remain unconsecrated and no part shall be set aside for the use of any particular denomination or religious body

## **Arrangements for Interments**

- No interment shall take place on Saturdays, Sundays, Christmas Day or Bank Holidays except with the consent of the Cemetery Registrar who shall give due consideration to the circumstances of the request or unless it be shown by the production of a medical certificate from the Community Health Physician that the body cannot, on grounds of public health, be kept until the next day permitted for interments.
- Prior permission from the Cemetery Registrar is required for every interment and this must be confirmed in writing on the Application for Interment form which must be received by the Registrar at least three clear working days before the time agreed for the funeral to take place. These periods of notices shall exclude Saturdays, Sundays or any other Public Holidays applicable to England.
- Before a burial can take place one of the documents listed below must be delivered to the Cemetery Registrar (if present at the time) or otherwise to the local Vicar (if officiating at the funeral) at or before the time when the funeral cortege enters the Cemetery:
  - Certificate for burial or cremation issued by the Registrar of Births and Deaths
  - Coroners Order for Burial
  - Register of Births and Deaths Certificate of No Liability to Register
  - For the burial of a foetus the Medical Practitioners Certificate of Delivery of a Non-Viable Foetus will be required
  - For the interment of cremated remains a Cremation Authority Certificate that the death has been registered is required.

## **Grave Allocations and Coffins**

- The allocation of grave spaces shall be at the discretion of the Cemetery Registrar and all grave spaces shall be excavated in rotation and no person shall have the right to select a grave space.
- A grave space shall be marked out by the Cemetery Registrar prior to any interment.
- Graves shall only be excavated and opened by contractors in the employ of the Council.
- Subject to the discretion of the Cemetery Registrar a body should always be received for interment in a properly made and secured wooden coffin. The names and age or date of death of the deceased must be shown on a plate fixed to the lid of the coffin.

Details of any special type of coffin or container must be advised to and approved by the Cemetery Registrar at the time when the initial booking is made to confirm its acceptability. The opening of any coffin or other container is not permitted within the grounds of the cemetery excepting that containers of cremated remains may be opened for the purpose of interment or scattering.

A coffin or other container may only contain one body except in the case of a parent and baby or babies. In such a case the Funeral Director must deliver with the Certificate for Burial a statement signed by him certifying that the coffin or other container contains two (or more) bodies and give their full names.

The Funeral Director shall inform the Cemetery Registrar if the body is that of a person who has died from a notifiable disease and such precautions as may be required to be taken within the cemetery must be complied with.

- No vaults or bricked graves are permitted in the Cemetery.
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## **BURIAL GROUND**

### **Grave Specifications, Interments And Re-Opening Of Graves**

- The removal of any monument, headstone, vase or similar structures from a purchased grave to permit interment shall be carried out to the order and at the expense and risk of the person requiring the burial in good and sufficient time for the grave to be opened by the Council and replaced by and at the expense and risk of that person as soon as practicable after the interment.
- No grave shall be more than four feet six inches deep and no coffin shall be placed in any grave so that the depth of cover between the top of the coffin and the surface of the surrounding grave is less than three feet.
- Only one coffin shall be permitted to be interred in each grave space and the grave may be subsequently reopened for the interment of cremated remains up to a maximum of three such interments. Any interment of cremated remains shall be at a depth of two feet. Cremated remains will be interred at equally spaced intervals starting at the headstone.
- A grave may only be opened for:
  - The burial of cremated remains
  - For exhumation provided that all necessary consents have been obtained.
- Except where the person to be buried or the cremated remains of the person to be buried is the last person registered as the owner of the exclusive right of burial:
  - Where a purchased grave is to be re-opened the deed of grant of exclusive right of burial shall be produced with the Application for Interment.
  - Where the deed of grant has been lost the person applying for the grave to be re-opened must sign a form indemnifying the Council against any possible liability claims or actions.
  - Subject to the above, the owner of the purchased grave shall give consent to the grave being opened by signature on the Application for Interment.
- The surface of every grave shall be level with the contours of the surrounding ground and turf mounding of graves is not permitted.
- After an interment has taken place the Council will regularly fill the grave up to the level of the surrounding ground for a period of six months from the time of the interment. During this period nothing should be planted in the grave, excepting that plants in pots or other suitable containers will be permitted provided that they are easily removable when required. The Council accepts no liability for any such plants, pots or other containers.
- The scattering of cremated remains over graves is not permitted. Cremated remains may only be interred in the Burial Ground in containers of wood, metal or other biodegradable materials and approved by the Cemetery Registrar. Containers made from plastics or other non-biodegradable materials are prohibited.
- In the interest of maintaining the visual amenities of the Burial Ground the Council shall reserve the right to level and turf over any grave that has remained unattended for a period of 24 months or more in the judgement of the council or its appointed Officer.
- No grave area on the surface shall exceed two feet six inches in width or seven feet six inches in length including any memorial placed on the grave.  
NOTE: There must be compliance with the provisions relating to interments contained in Schedule 2 to LACO.

### **Memorials**

- One memorial in the form of a headstone, cross, tablet or book at the head of a purchased grave will ordinarily be permitted provided that it will be made of Portland, York, Nabresina, Granite, Slate, Marble, Sandstone, Limestone, Gneiss, Phyllite in any natural colour as occurs or of Oak or Teak. Polished finishes to stonework are permitted.
- An application for a memorial must not be submitted until six months after the burial.
- The fixing on site, method of construction and quality of materials of every stone memorial shall be in accordance with the relevant Code of Working Practice of the National Association of Memorial Masons.
- Every memorial shall be placed on the grave space so that the centre of the memorial shall be in line with the centre head position of the grave. All memorials are to be set in straight lines.
- There shall be no advertisement or trademark on the memorial except that the name of the memorial mason who has supplied it shall be inscribed on the side or on the reverse of a

headstone in lettering similar to the main inscription and not more than an inch high. The section letters and numbers must be positioned and inscribed in this matter on all memorials to be installed in the Cemetery.

- A memorial headstone shall have a minimum height of two feet nine inches from the ground level, one foot eight inches in width and three inches in thickness. No memorial shall exceed three feet in height measured from the ground level, two feet six inches in width and three inches in thickness and if it be of insufficient height to be set in the ground, its base shall not protrude above ground level. No vase or flower container shall exceed eight inches in height.
- The construction and the material from which any memorial is made should be sound and durable and must not affect any other memorial in the Cemetery.
- Before any memorial is placed in the Cemetery a drawing showing the dimensions, type of material and finish and the inscription and type of lettering to be inscribed on the memorial shall be submitted to the Cemetery Registrar at least one month prior to the intended fixing in the Cemetery.
- The memorial to which the application relates shall not be taken into the Cemetery until the Cemetery Registrar has issued a written permit and the fees have been paid to the Council.
- The right to place and maintain a memorial will only be granted for the same period of time that the exclusive right of burial which has been granted in respect of any grave has left to run and will not continue after the exclusive right of burial has been terminated.
- Any damage which may be caused to the grounds, trees or memorials or any other part of the cemetery shall be repaired by and at the expense of the person responsible for carrying any materials into the Cemetery.
- The supplier and fixer of any memorial erected in the Cemetery must maintain a policy of public liability insurance indemnifying against all claims and actions for accident, materials and workmanship resulting from the memorial being placed in the Cemetery.
- The Council will not be responsible for any damage to monuments, gravestones or other structures other than damage shown to be occasioned by the negligence of its employees, agents, servants or work-people.
- No person shall manufacture any memorial in the Cemetery. Only work to clean, repair or letter is permitted upon permission being obtained from the Cemetery Registrar.
- All memorials erected within the Cemetery shall be kept in good repair by and at the expense of the owner. The Council reserves the right to repair or make safe any memorial which is allowed to fall into disrepair or become unsightly or dangerous and, if deemed practicable, recover expenses thus incurred from the owner or the owner's beneficiaries.
- The Council may require the owner of any monument which in their opinion has become unsafe, to remove it from the Cemetery at the owner's expense.
- Fencing around plots is permitted to a maximum height of 45cm.
- Pressure treated wooden kerbs to a maximum thickness of four inches are permitted.
- Chippings of wood, stone or glass are permitted when suitably contained
- Statuary is permitted with a maximum height of 30cm
- Inscriptions may ordinarily include the name, dates of birth and death and occupation of the deceased only but consideration may be given for additional wording or for the inclusion of an emblem, badge or other design if suitable.
- Carvings within the headstone are permitted.
- Statuary on top of a headstone is not permitted.
- Photographs on a memorial are permitted to a maximum dimension of 9cm x 7cm with an additional 2cm width frame allowed. Photographs must be fixed by either a recess in the stone and held by a suitable weather resistant mastic or set into a small frame which is held in place by screws drilled into the stone and then fixed with a suitable weather resistant mastic.
- Flower displays of cut flowers shall not be placed in glass containers.
- All words inscribed should be well lettered and words and designs suitable set out and all lettering shall be of sufficient depth and width to be clearly visible without infilling. If in addition infilling is to be used, it shall be of gold, black or grey matt finish paint and not of lead, plastic, cement or other materials. There shall be no raised lettering or other additions to the memorial.
- Permission may be granted for suitable memorial plaques to be fixed onto existing seats provided by the Council. Planting of special memorial trees or other plants may be considered.

Permission may also be granted for memorials relating to deceased residents of the parish whose remains are not interred within the Cemetery.

- No memorial, container for flowers, fencing, kerbing, stone chippings or other objects of any kind may be introduced into the Cemetery until the Council's approval in writing has been delivered to the applicant. All applications for memorials, flower containers, fencing, kerbing, stone chippings or other objects must be made to the Cemetery Registrar on the Council's prescribed form and accompanied by the appropriate fee.
- The Council reserves the right to reject any application or to request changes or amendments thereto.
- If a memorial, flower container, fencing, kerbing, stone chippings or other object is introduced into the Cemetery without permission, or not in accordance with a permission which has been granted, the Council will require its removal without delay at the owner's expense and reserve the right to order the removal of any such memorial, flower container, fencing, kerbing, stone chippings or other object as the Council may require or deem necessary.

### **Exclusive Right Of Burial**

- The owner of an exclusive right of burial does not own the land or grave itself but has the right to say who is interred in that grave.
- The Council may grant the exclusive right of burial in an individual grave space for a period of fifty years from the date of the grant upon payment of the prescribed fee.
- At or before the end of the fifty year period the exclusive right to burial may be renewed by the then owner of the right. A renewal fee will be payable and the new grant will be subject to the burial regulations then in force.
- A grant of exclusive right of burial will not be issued in the name of a funeral director, memorial mason, partner or shareholder in such a firm unless written evidence satisfactory to the Council is submitted to show that the grave is required for use by the applicant as a private individual and not for the purpose of the firm or for the use of another person.
- No person will be allowed to hold at any one time the exclusive right of burial in more than two graves except with the special consent of the Council.
- The owner of the exclusive right of burial in a particular grave space shall have the privilege of transferring the right of burial to any other member of his or her family.
- Written notice of any proposed transfer or assignment of an exclusive right of burial must be submitted to the Council within twenty-eight days of the assignment together with the Deed Document and the prescribed registration fee.
- The Council will not recognise any assignment whether by Deed or otherwise of an exclusive right of burial without proof of such assignment except where the owner of the right is the person to be buried and in any event, will not recognise the assignment if it has not previously been submitted to the Council for registration.

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## **GARDEN OF REMEMBRANCE**

### **Plot Specifications and Interments**

- No cremated remains plot shall exceed three feet in width and six feet in length including any memorial placed on the grave.
- The first interment should be made at the rear of the plot with any subsequent interment at the front of the plot.

### **Memorials**

- The Garden of Remembrance shall be used only for the interment or scattering of cremated remains.
- Cremated remains may only be interred in the Garden of Remembrance in containers of wood, metal or other biodegradable materials. Containers made from plastics or other non-biodegradable materials are prohibited.
- All interments of cremated remains shall be at a depth of not less than two feet.
- A rose of the plotholder's choice may be planted by the Parish Council in the Garden of Remembrance Rose Garden. Small memorial plaques provided with a prong for fixing into the

ground may be placed in the rose garden. No plaque shall exceed five inches in width and five inches in length.

- Memorials may be placed in the form of:
  - A plaque made in bronze or other approved materials and provided with a prong for fixing into the ground may be placed in the rose garden. No plaque shall exceed five inches in width and five inches in length.
  - A single inscribed tablet made of Portland, York, Nabresina, Granite, Slate, Marble, Sandstone, Limestone, Gneiss, Phyllite in any natural colour as occurs (polished finishes to stonework are permitted) and conforming to a standard size of nine inches in width, nine inches in length and two inches thick. If two interments are in the same plot, a double size tablet of eighteen inches in width and nine inches in length is permitted. Polished finishes to stonework are permitted.
  - A plaque as detailed above affixed to a plain tablet of stone as detailed above.
  - Photographs on a memorial are permitted to a maximum dimension of 9cm x 7cm with an additional 2cm width frame allowed. Photographs must be fixed by either a recess in the stone and held by a suitable weather resistant mastic or set into a small frame which is held in place by screws drilled into the stone and then fixed with a suitable weather resistant mastic.
- Memorial tablets shall be positioned so that the top surfaces shall be flush with the contours of the surrounding ground.
- The Council will maintain the graves as part of the Garden of Remembrance.
- Flower vases must not be placed in the lawns or gardens of the Garden of Remembrance. Flowers and/or vases placed on the lawns or gardens will be removed.
- Artefacts of any kind must not be secured to memorial plaques or tablets.
- No monuments of any kind will be permitted within the Garden of Remembrance.
- Flower pots (not glass or plastic) filled with soil to enable flowers to be planted are permitted.
- Flower displays of cut flowers shall not be placed in glass containers.
- The construction and the material from which any memorial is made should be sound and durable and must not affect any other memorial in the Cemetery.
- Before any memorial is placed in the Cemetery a drawing showing the dimensions, type of material and finish and the inscription and type of lettering to be inscribed on the memorial shall be submitted to the Cemetery Registrar at least one month prior to the intended fixing in the Cemetery.
- The memorial to which the application relates shall not be taken into the Cemetery until the Cemetery Registrar has issued a written permit and the fees have been paid to the Council.
- The right to place and maintain a memorial will only be granted for the same period of time that the exclusive right of burial which has been granted in respect of any grave has left to run and will not continue after the exclusive right of burial has been terminated.
- Any damage which may be caused to the grounds, trees or memorials or any other part of the cemetery shall be repaired by and at the expense of the person responsible for carrying any materials into the Cemetery.
- The supplier and fixer of any memorial erected in the Cemetery must maintain a policy of public liability insurance indemnifying against all claims and actions for accident, materials and workmanship resulting from the memorial being placed in the Cemetery.
- The Council will not be responsible for any damage to monuments, memorial tablets or other structures other than damage shown to be occasioned by the negligence of its employees, agents, servants or work-people.
- No person shall manufacture any memorial in the Cemetery. Only work to clean, repair or letter is permitted upon permission being obtained from the Cemetery Registrar.
- All memorials erected within the Cemetery shall be kept in good repair by and at the expense of the owner. The Council reserves the right to repair or make safe any memorial which is allowed to fall into disrepair or become unsightly or dangerous and, if deemed practicable, recover expenses thus incurred from the owner or the owner's beneficiaries.
- The Council may require the owner of any monument which in their opinion has become unsafe, to remove it from the Cemetery at the owner's expense.
- Fencing around plots is permitted to a maximum height of 80cm.
- Inscriptions may ordinarily include the name, dates of birth and death and occupation of the

deceased only but consideration may be given for additional wording or for the inclusion of an emblem, badge or other design if suitable.

- All words inscribed should be well lettered and words and designs suitable set out and all lettering shall be of sufficient depth and width to be clearly visible without infilling. If in addition infilling is to be used, it shall be of gold, black or grey matt finish paint and not of lead, plastic, cement or other materials. There shall be no raised lettering or other additions to the memorial.
- Permission may be granted for suitable memorial plaques to be fixed onto existing seats provided by the Council. Planting of special memorial trees or other plants may be considered. Permission may also be granted for memorials relating to deceased residents of the parish whose remains are not interred within the Cemetery.
- No memorial, container for flowers, fencing or other objects of any kind may be introduced into the Cemetery until the Council's approval in writing has been delivered to the applicant. All applications for memorials, flower containers, fencing or other objects must be made to the Cemetery Registrar on the Council's prescribed form and accompanied by the appropriate fee.
- The Council reserves the right to reject any application or to request changes or amendments thereto.
- If a memorial, flower container, fencing or other object is introduced into the Cemetery without permission, or not in accordance with a permission which has been granted, the Council will require its removal without delay at the owner's expense and reserve the right to order the removal of any such memorial, flower container, fencing or other object as the Council may require or deem necessary.
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### **Exclusive Right Of Burial**

- The owner of an exclusive right of burial does not own the land or grave itself but has the right to say who is interred in that grave.
- The Council may grant the exclusive right of burial in an individual grave space for cremated remains for a period of twenty years from the date of the grant upon payment of the prescribed fee.
- At or before the end of the twenty year period the exclusive right of burial may be renewed by the then owner of the right. A renewal fee will be payable and the new grant will be subject to the burial regulations then in force.
- A grant of exclusive right of burial will not be issued in the name of a funeral director, memorial mason, partner or shareholder in such a firm unless written evidence satisfactory to the Council is submitted to show that the grave is required for use by the applicant as a private individual and not for the purpose of the firm or for the use of another person.
- No person will be allowed to hold at any one time the exclusive right of burial in more than two graves except with the special consent of the Council.
- The owner of the exclusive right of burial in a particular grave space shall have the privilege of transferring the right of burial to any other member of his or her family.
- Written notice of any proposed transfer or assignment of an exclusive right of burial must be submitted to the Council within twenty-eight days of the assignment together with the Deed Document and the prescribed registration fee.
- The Council will not recognise any assignment whether by Deed or otherwise of an exclusive right of burial without proof of such assignment except where the owner of the right is the person to be buried and in any event, will not recognise the assignment if it has not previously been submitted to the Council for registration.

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### **GENERAL RULES OF MANAGEMENT**

- Visitors to the Cemetery shall not pick, cut, fell or remove from the Cemetery any flower, tree or shrub, nor sit on any memorial, monument, headstone or structure other than a seat provided for the purpose.
- The Council does not recommend the use of artificial flowers and plants in the Cemetery and any such decoration is left at the owners' risk.

- All dead flowers, wreaths, weeds, rubbish and other decorations which have become unsightly shall be removed from graves and disposed of at a place provided for the purpose. The Cemetery Registrar is authorised to remove flowers, plants, wreaths or decorations which have become unsightly.
- All planting and cultivation shall be subject to the approval of the Cemetery Registrar and the Council reserves the right to prune, cut down or dig up and remove any flowers, shrub or plant at any time when in the opinion of the Cemetery Registrar such pruning, cutting down or digging up is deemed necessary.