



ENVIRONMENT DIRECTORATE

BEREAVEMENT SERVICES

CEMETERY REGULATIONS 2022 / 2027



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.

C O N T E N T S

	<u>Page No.</u>
1.0 Mission statement	2
2.0 Opening times	3
3.0 General rules concerning cemetery grounds	4
<i>Grave Depths</i>	<i>4</i>
<i>Grave Selection</i>	<i>4</i>
<i>Visitors to Cemeteries</i>	<i>4</i>
<i>Floral Tributes (inc. Christmas Wreaths)</i>	<i>6</i>
<i>Recycling</i>	<i>6</i>
4.0 Rules relating to graves in lawned sections of the cemeteries	7
5.0 Rules relating to graves in non-lawned sections of the cemeteries	8
6.0 Rules relating to general memorialisation on graves (e.g. vases, tablets, planting etc.)	9
7.0 Rules relating to headstone memorials etc. and to memorial works	11
<i>Temporary Wooden Memorials</i>	<i>15</i>
8.0 Cemetery Fees & Charges	16
9.0 Memorial benches	17
10.0 Funeral bookings and site arrangements	18
<i>Documentation</i>	<i>19</i>
<i>Notice Periods</i>	<i>19</i>
<i>Exclusive Rights of Burial</i>	<i>19</i>
<i>Right to Disturb</i>	<i>21</i>
<i>Bricked / Blocked Graves</i>	<i>21</i>
11.0 Funeral Services	23
12.0 Rules Relating to Cremated Remains Areas	24
13.0 Rules Relating to Woodland Burials	25
14.0 Disputes concerning a cemetery rule or the interpretation of a cemetery rule	26
15.0 Alterations and amendments to the cemetery rules	27
16.0 Offences in cemeteries	28
Appendix 1 Memorial Size Guidelines	29

1.0 MISSION STATEMENT

Flintshire County Council presently operates and manages fifteen Cemeteries and eight Closed Churchyards within the County. The cemeteries are located at Bagillt, Buckley, Connahs Quay, Flint (2), Greenfield (2), Hawarden (2), Hope (2), Rhewl, Treuddyn, Kelsterton. These cemeteries are operated primarily to meet the needs of the people of Flintshire.

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 visitors to and workers within all our Cemeteries
- 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 (presently peaceful, dignified environments conducive to quiet reflection)
- minimise the financial burden that falls to the Council Tax payer by continually seeking ways to reduce landscape maintenance costs without reducing horticultural standards
- minimise so far as is practical, the amount of cemetery running costs 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 burial process

Richard Blake
Bereavement Services Manager
Flintshire County Council
2022

2.0 OPENING TIMES

Bereavement Services Office

2.1 The Bereavement Services Office, is situated at Alltami Depot, Mold Road, Alltami, Flintshire CH7 6LG

Telephone 01352 703360

01352 703365

Email cemeteries@flintshire.gov.uk

2.2 Telephone enquiries or visits to the office may be made between the hours of 8.30am – 5.00pm. Monday to Friday. The Office is closed on Saturday, Sunday, Public Holidays. If you wish to see a member of staff in person, please telephone the above number(s) to make a mutually convenient appointment.

Cemeteries

2.3 The fifteen 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:

1st April to 30th September 8.00 am to 8.00 pm

1st October to 31st March 8.00 am to 4.00 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. The gates will be locked in the following cemeteries, Hawarden No1 & 2, Connah's Quay, Kelsterton, Hope Bryn y Grog. 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 These Regulations apply to the following cemeteries and any adjoining extensions or additional cemeteries that may be subsequently added to the list below.

Plans of these cemeteries are kept in the Bereavement Services office and may be seen, without charge, during opening times as specified in paragraph 2.2

<u>NAME</u>	<u>ROAD</u>	<u>TOWN</u>
Buckley	Elfed Drive	Buckley
Bryn-y-Grog	Fagl Lane	Hope
Connah's Quay	Bryn Road	Connah's Quay
Greenfield	School Lane	Greenfield
Greenfield No.2	School Lane	Greenfield
Hawarden No.1	Cross Tree Lane	Hawarden
Hawarden No.2	Ash Lane	Hawarden
Holywell	Fron Park Road	Holywell
Hope Old	Fagl Lane	Hope
London Road	London Road	Flint
New Brighton	New Brighton Road	Bagillt
Northop Road	Northop Road	Flint
St Margaret's	Penrhewl	Mostyn
Treuddyn	Ffordd-y-Rhos	Treuddyn
Kelsterton	Kelsterton Lane	Connah's Quay

Grave Depths

3.1 Graves will be excavated at depths of 4' 6", 6' 0" and *8' 0" (*only available in certain cemeteries, in limited areas), subject to ground conditions and Health and Safety considerations. Cremation Plots will be excavated to 2' 6" in depth. The final decision as to the depth of a grave rests with the Authority. No body shall be buried in a grave in such a manner that any part of the coffin is less than 3 feet before the level of any ground adjoining the grave (4' 6" final interment). In extenuating circumstances, however, the Authority retains the right to marginally vary this condition, providing the ground characteristics are suitable and appropriate sealing arrangements are made, up to a minimum covering of 2 feet (3' 6" final interment).

Grave Selection

3.2 The selection of grave spaces shall be subject to the approval of the Authority, but the wishes of the applicant will be met if reasonably and operationally practicable. The exact location of all numbered graves will not be guaranteed as accurate by the Authority.

Visitors to Cemeteries

3.3 Access to each cemetery must only be gained through the gates provided. No private access from adjoining properties, areas or roads is permitted. 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. Visitors must not use the cemetery as a public thoroughfare or the roads and walks for the conveyance of goods, parcels or materials not intended for use in the cemetery.

- 3.4** Dogs ***must*** be kept on a lead at all times and must not be exercised within the cemeteries, though this rule will not apply in respect of guide dogs.
- 3.5** Prams and pushchairs must be in the care of a responsible adult.
- 3.6** The Council reserves the right to exclude from the cemeteries children who are not under the care of a responsible person.
- 3.7** Vehicular traffic must comply with all relevant traffic signs / instructions including the 5 mph speed limit, flow direction indicators and parking instructions. No parking or turning of vehicles is allowed on grassed areas.
- 3.8** Vehicles, whose occupants do not have legitimate business within the cemeteries, are not allowed within the grounds of the cemeteries.
- 3.9** Vehicle drivers must be aware of, and give due consideration to pedestrians at all times, restricting speeds accordingly.
- 3.10** 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.
- 3.11** 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' grounds.
- 3.12** No alcohol is to be consumed within the cemeteries' grounds, or left on graves as a memorial. Any found will be removed and disposed of accordingly.
- 3.13** No sport or games are to be played in the cemeteries, including climbing or ball games.
- 3.14** 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.
- 3.15** No person shall use threatening or abusive behaviour towards cemetery staff, nor shall any person prevent cemetery staff from carrying out their duties.

Floral Tributes

- 3.16** All large floral tributes placed on a grave space following an interment will be removed and disposed of, 14 days after the funeral, if they are left in place to deteriorate

The removal and disposal of Christmas Wreaths, from all areas (excluding those fixed to Headstones) will commence during the first / second week in February annually.

Recycling

- 3.17** Visitors to all Flintshire's Cemeteries are actively encourage to recycle any materials such as plastic bottles, wreaths or dead flowers etc. that they leave behind in the appropriate bins provided. Visitors are also requested to ensure that only the necessary amount of water is used whilst in the Cemetery and any non concussive style taps are switched off correctly after use. These actions will help the Authority meet its commitment to providing a cleaner, greener Flintshire.

4.0 RULES RELATING TO GRAVES IN LAWNED SECTIONS OF THE CEMETERIES

- 4.1** Within the lawned sections of the Cemeteries or on lawned style graves only one movable vase or memorialisation is allowable per grave. The rest of the grave space and its surroundings shall be grassed and must remain free from obstructions. Mounding up of graves is not permitted
- 4.2** Minimal memorialisation should be placed on graves between an interment and the turfing / seeding of the grave, 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 six months) the Council will lay turf / seed over the whole of the grave.
- 4.4** Under no circumstances shall edging kerbs of any type be placed around a grave space and any form of loose items such as chippings / slate etc. must not be placed on a grave. Any unauthorised installation of kerbs and placing of loose items on a grave will be removed by the Council without notice.
- 4.5** The Council reserves the right to place on a grave, excavated material from a neighbouring grave (whether or not contained in a soil box), remove headstones 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.)
- 4.6** 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 six caskets of cremated remains in addition to their full complement of interments.
- 4.7** The planting of flowers, shrubs or other vegetation within grave spaces is not permitted.
- 4.8** In certain circumstances kerbsets will be permitted on dedicated Children's Graves only if they are located in a Children's Section within the Cemetery, and only with the permission of the Bereavement Services Manager.

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

- 5.1** On a non-lawned section the space that may be used on or around the grave for memorialisation is limited to the area enclosed by the Kerbset. 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** Where, in the opinion of the Bereavement Services Manager, a kerbed grave is no longer tended and in which the last interment took place at least 50 years ago, the officer may arrange for the removal of any uninscribed kerbs, the making-safe of any headstone memorial previously affixed to the kerbs and the turfing of the grave.
- 5.4** 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.)
- 5.5** 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 six 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** The sizes of permissible memorials on both full graves and cremated remains plots may vary from Cemetery to Cemetery. A full list of those maximum permissible sizes is shown at Appendix 1. Regardless of size or location no memorial / headstone shall be erected in any Cemetery without an application being made to the Bereavement Services Office. No work to erect the memorial shall take place until a formal Permit has been issued by the Bereavement Services office and received by the Stonemason, and not before the allowable date stated on the permit.
- 6.2** All memorials must be inscribed with the Stonemasons Name and Grave Number to the rear of the memorial.
- 6.3** The planting of shrubs is specifically not permitted in or around the grave area and the Council may request the Registered Grave Owner to remove any plants or shrubs, which in the Bereavement Services Managers opinion should not be there or have become unsightly, overgrown or dangerous from a previous planting. Where the Registered Grave Owner does not take the appropriate action when requested, the Council reserves the right for the Senior Bereavement Services Officer to take such action in default.
- 6.4** To protect the character of the cemeteries and avoid attractions that might encourage undesirable visitors during the hours of darkness, as a general principle 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 30 cms (12 inches) in height. (Please note rule 6.7 below, which relates to all manner of items, but which would specifically exclude lights powered other than by solar power.)
- 6.5** Memorialisation in the form of wind chimes / windmills, neither of which should exceed 30 cms (12 inches) 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.
- 6.6** In order that a proper standard of maintenance can be achieved efficiently and to give due regard to the safety of the grounds maintenance workers, certain items will be specifically excluded on the lawned sections. These items are border stones, edgings constructed of concrete, metal (including chains), timber, plastics, etc and chippings (of any material).

- 6.7** Other than the solar lights and wind chimes / windmills referred to in rules 6.4 and 6.5 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.
- 6.8** Any materials or items of memorialisation which, in the opinion of the Bereavement Services Manager 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 or lantern stands topped with a point. Any such materials or items may be removed by the Council without prior notice.
- 6.9** All memorials must be kept in good repair by the owners. Notice will be sent to the registered owner in case of any repair being required, and after one month in default the Council may proceed to repair at the cost of the owner.
- 6.10** All items of memorialisation are placed in the cemeteries at the owner'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.
- 6.11** 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.
- 6.12** No memorialisation of any kind may be placed on any grave for which a grave deed has not been purchased (e.g. a public or common grave). Any form of memorialisation found on such graves will be removed without notice.
- 6.13** The Council reserves the right to remove any memorialisation, or any part thereof, if said memorialisation is encroaching onto an adjacent grave space, or the free space located between graves, without any prior warning

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 Code of Working Practice, 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) the Bereavement Services Manager 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 in writing to the Senior Bereavement Services Officer.

7.4 Headstone memorials shall be placed at the head of the grave, in line with adjacent memorials or in accordance with the directions of the Bereavement Services Manager.

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

- 7.6** Headstone memorials must be fixed 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.
- 7.7** 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.
- 7.8** 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.
- 7.9** 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.
- 7.10** No memorial works shall be carried out unless a permit has been applied for and issued by the Council. Such permits must be available on site for inspection by any Bereavement Services Officer or agents acting on behalf of the Council during the execution of the works. No memorials are to be erected for at least 6 months following the burial to allow for ground settlement unless it is a cremation remains burial
- 7.11** No memorials shall be conveyed into or out of the cemeteries without the prior approval of the Council.
- 7.12** Headstone memorials must conform to the general designs approved by the Council (for dimensions see Appendix 1).
- 7.13** The materials used in the construction of memorials must be of durable natural stone, marble, granite or other similar materials. The Authority will reject any memorial which will not bear continuous exposure to the weather, and any memorial made of the following materials, namely: artificial stone, terracotta, china, porcelain, plastic or any other material which, in the opinion of the Senior Bereavement Services Officer, is unsuitable or incongruous with its surroundings.
- 7.14** Wooden memorials (other than temporary wooden memorials) will be permitted following written application to the Council. Any Wooden Memorial must conform to the size guidelines for traditional memorials as stated in Appendix 1.

- 7.15** 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.
- 7.16** 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 Bereavement Services office). The form must be signed by the Registered Grave Owner of the Exclusive Right of Burial in a grave. No memorial will be permitted without such owner's consent.
- 7.17** When, in the opinion of the Bereavement Services Manager, memorials are no longer maintained in good repair and proper condition, they may be removed or laid flat by order of the Council.
- 7.18** 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 Senior Bereavement Services Officer will take appropriate action, in line with the relevant Risk Assessments and Memorial Management guidelines.
- 7.19** 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 therefore and suitable enforcement action taken by the council against those in breach of these rules.
- 7.20** All memorials must be conveyed into the Cemetery, erected and removed, at the expense of the Registered Grave Owner 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 and the name of the Stonemason.
- 7.21** 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 Bereavement Services Manager, as will avoid the cutting up of the roads, paths or verges, Mats, planks, boards or canvas are to be used as may be directed to preserve the grass or roads from being damaged by such works.
- 7.22** 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 written permission of the Bereavement Services Manager.

- 7.23** Work of every description must proceed continuously and be completed without unnecessary delay. This applies, in particular, to memorials awaiting re-erection.
- 7.24** 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 Bereavement Services Manager.
- 7.25** 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.
- 7.26** 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 reverse face of such memorial and 50 mm (2 ins) above the ground level prior to its erection within the cemetery. In addition, these markings should include an asterisk as confirmation that the headstone has been fitted to current NAMM standards.
- 7.27** The memorial mason firm erecting a memorial (whether new or a re-fix) shall arrange for the firm's name and Grave Number to be engraved in not more than 20 mm (3/4 inch) lettering on the base of the memorial.
- 7.28** 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.
- 7.29** Kerb-type memorials are only allowed in the following Cemeteries, Connahs Quay, Rhewl, Holywell and Buckley.
- 7.30** 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.
- 7.31** The Authorised Officer may refuse to permit any work to commence, or order cessation of work where, by reason of inclement weather, the roads, or grass of the cemetery may be injured thereby
- 7.32** The position of all memorials to be subject to the orders and regulations of the Authority.

Temporary Wooden Memorials

7.33 For a period not exceeding 5 years after interment a temporary wooden memorial or cross may be erected at the head of a grave or subject to the following specification:-

- (a) The overall dimensions shall not exceed 3 feet (0.91 metres) in height and 2 feet 9 inches (0.84 metres) in width. The memorial or cross shall be constructed of a good quality hardwood and any plate used for inscription purposes is not to exceed 4 inches (100mm) in depth.
- (b) The memorial is to be so set in the ground at the head of the grave that it deters easy removal, e.g. embedded into concrete.
- (c) Approval for the erection of temporary wooden memorials to be as per Regulation 7.10 (Rules Relating To Headstone Memorials Etc. and To Memorial Works).

Provided always that this Regulation shall not apply to any grave situated in an area set aside by the Authority for the interment of cremated remains, where memorial slabs are used. Such areas shall be maintained in a lawned condition in accordance with previous Regulations.

7.34 The Authority will allow a tolerance of 15mm in all Memorial heights

7.35 All spoil type material, including memorial bases, **must** be removed from the Cemetery by the Stonemason following completion of all works. Under no circumstances should these materials be left within the Cemetery in any location.

8.0 CEMETERY FEES AND CHARGES

- 8.1 Details of Flintshire County Councils Cemetery Fees and Charges are available at the Bereavement Services Office, the Flintshire County Council website, Cemetery Notice boards and will be circulated to Funeral Directors and Stonemasons annually.

Interment fees are due to be paid to the Bereavement Services Manager at the time of giving notice. Where a funeral director regularly uses the Authority's cemeteries, invoicing will be monthly and must be remitted to the County Finance Department.

Headstones and monument fees must be remitted with the appropriate application, unless the Stonemason regularly uses the Authority's cemeteries, where invoicing will be monthly and must be remitted to the County Finance Department. Reserved Grave Plot, Memorial Bench, Memorial Plaque and all other fees not listed must be remitted with the appropriate application.

- 8.2 Attention is drawn to the following special charges:

(a) ***Fees for Non-Residents***

Where it is not possible to confirm by reference to the Register of Electors that the deceased (or in the case of a child - the parent(s) of the deceased) have lived for three years prior to the decease in a community where the burial expenses are paid to the Authority, then the fee appropriate for non-residents will be charged. This will relate to a person either moving into or out of the County.

(b) ***Fees to Cover Additional Administration / Works***

The Bereavement Services Manager will levy an additional charge of 33% of the interment cost for the following reasons :-

- 1) Any changes made to an Interment details, once written or facsimile confirmation of the details have been received by the Bereavement Services Office.
- 2) Any additional works required, not clearly notified on the Interment Form by the Funeral Director. The Bereavement Services Manager will seek to arrange for the additional work to be undertaken to minimize distress to the bereaved.
- 3) Cancellation of an interment, once written or email confirmation of details have been received by the Bereavement Services Office occasioning additional administrative / operational work by the council.
- 4) Oversized Coffins where the placement of the coffin into the grave directly results in the loss of burial space from an adjacent

grave space

- 5) Funerals requested and agreed to outside of the hours of interment, the relevant overtime costs incurred will be applied

The funeral director will be advised of the circumstances leading to this extra charge when making application or revision and where time permits, this will be confirmed in writing prior to the interment.

9.0 MEMORIAL BENCHES

9.1 No memorial benches are permitted in Flintshire County Council cemeteries other than those provided by the Council. No person shall be permitted to provide their own bench. For information on the range of benches available, please contact the Bereavement Services office. The benches supplied will be regularly reviewed for suitability, quality etc., in line with these Cemetery Regulations.

9.2 Memorial benches will only be allowed in predetermined locations selected by the Bereavement Services office, which could be subject to change. For further information on these locations please contact the Bereavement Services section.

9.3 Anyone who purchases a Memorial Bench from the Council must accept full responsibility for the maintenance of the bench and if, in the opinion of the Bereavement Services Manager, a bench has not been adequately maintained or is showing signs of damage or neglect, it will be removed and disposed of.

Memorial Benches must remain in their original colour, or as close as possible to. On wooden memorial benches, only suitable wood stains should be used in their maintenance. Any Memorial Bench maintained in an alternative colour will be removed immediately.

9.4 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.

9.5 Benches are installed on the understanding that they are a facility which may be used by any cemetery visitor and are not for the sole use of the purchaser.

9.6 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, or ground maintenance or improvement works undertaken around the bench, without the permission of the Bereavement Services Manager.

10.0 FUNERAL BOOKINGS AND SITE ARRANGEMENTS

10.1 No burial shall take place, no cremated human remains shall be scattered and no tombstone or other memorial shall be placed in a cemetery and no additional inscription shall be made on a tombstone or other memorial without the permission of the Bereavement Services Manager and the appropriate fee paid. All funerals at the cemeteries are under the control and direction of the Senior Bereavement Services Officer, or his / her representative. No grave may be selected, excavated, or re-opened unless by his / her direction. All proceedings at funerals must adhere to any specific instructions given, e.g. in relation to the positioning or behaviour of mourners, vehicles etc.

Documentation

10.2 All interment notices must be given to the Bereavement Services Office on the official forms provided by the Council. These forms must be completed accurately ensuring all requested details are fully completed.

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 to Funeral Directors for any work that may be involved by as a result of inaccurate dimensions being provided.

10.4 Any orders or instructions given by telephone will be received at the sole risk of the person giving such orders or instructions, and the Council will not be responsible for any delays which may occur or misunderstandings which may arise with regard to orders or instructions given by telephone, unless immediately confirmed in writing or facsimile in the manner provided by these rules.

10.5 Notices of interment of stillborn children must be accompanied by either a Certificate from the Registrar of Births, Marriages & Deaths, or an order of the Coroner. In the case of foetuses, the Medical Practitioner's Confirmation of Delivery of Non-Viable Foetus will be required

10.6 Notice Periods

Cremated Remains (2ft 6ins) = 2 Working Days (48 Hours)

4ft 6in or 6ft New Grave = 2 Working Days (48 Hours)

4ft 6in or 6ft Re Open Grave = 2 Working Days (48 Hours)

8ft Re Open or New Grave = 3 Working Days (72 Hours)

Bricked or Blocked Graves (All depths) = 7 Working Days

All Notice Periods are exclusive of Saturday, Sunday and Public or Bank Holidays.

Where the details, including the time of interment, provided are subsequently changed during the notice period the Authority will endeavour to let the interment proceed if this is possible. If, in the

judgment of the Bereavement Services Manager, the inaccurate details provided have disrupted the planning of interments or the work of employees and / or have occasioned further administration or works, an additional charge will be levied. This provision will not apply where the normal procedure has been officially interrupted, e.g. by the intervention of Police, a Coroner or Registrar during the notice period. The Authority, however, will not be responsible for any inconvenience or loss resulting from the re-arrangement of an interment occasioned by inaccurate information supplied on the Notice of Interment form for whatever reason.

These rules may be relaxed or altered in the case of death or excess deaths due to a pandemic or mass fatality incident.

- 10.7** 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 Bereavement Services Office and displayed where possible within each Cemetery. This list will also be available upon request from the Bereavement Services Office. The council retain the right to alter the list or fees as it sees fit without the need for any prior notice.
- 10.8** A certificate of registration of death or a coroner's order must be submitted to the Bereavement Services Office before burial takes place. Failure to submit such certification in line with the Notice Periods outlined in 10.6 may result in the interment being postponed until such certification is received. The Authority will accept no responsibility for loss or damage from the postponement of any interment on such grounds.
- 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 Grave Owner.

Exclusive Rights of Burial

- 10.10** No grave or vault in which the Exclusive Right of Burial has been purchased 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 ownership as they may reasonably require with all relevant paperwork being completed by the person claiming to be the owner or the executors of the deceased owner. The Council will not be liable if a grave or vault is opened in error.
- 10.11** On acquiring the Exclusive Right of Burial in a purchased grave, the Authority will issue a deed to the person by whom, or on whose behalf, the said Exclusive Right of Burial is purchased, and such person shall be registered in the Register of Purchased Graves as the owner of the

same. The grave certificate, once purchased, gives exclusive rights of burial in a grave for a period of 100 years, with a maximum of two interments per grave (three interments are permissible in certain cemeteries), subject to ground conditions. In the event of the Authority not being able to excavate to the full depth due to ground conditions, etc., a note of this will be recorded in the Burial Register, and or Burial Management System, and the purchaser of the grave will be informed.

- 10.12** Upon the death of the registered owner of the grave or vault, the person claiming the title to the Exclusive Right of Burial must produce satisfactory evidence of title and complete any relevant documentation as requested by the Bereavement Services Manager before any grave or vault is opened, or memorial placed on the grave, otherwise than in accordance with Rule 10.10.
- 10.13** An owner of a Exclusive Right of Burial who wishes to assign his right may do so by means of a written assignment in a form to be approved by the Authority. Until such assignment has been produced to and registered by the Authority, the assignee shall not be entitled to exercise any rights under the grant. However, where a resident of Flintshire wishes to assign his right to a non-resident of the County, 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.
- 10.14** 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 Authority.
- 10.15** The fees charged by the Authority include everything connected with the specified items and no servant of the Authority is allowed to receive any gratuity whatsoever.
- 10.16** The purchaser of the Exclusive Right of Burial will be furnished with a Deed of the same.
- 10.17** The owner shall not have the power of transferring the Right of Burial in any grave without the consent of the Authority except by Will.
- 10.18** Any person succeeding to a Grant under a Will or Intestacy must notify the Authority in writing of the change of ownership and the Authority reserves the right to make such investigations as it thinks fit.
- 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 owner is correctly entered onto the Deed.

Grave Selection & Excavation

- 10.20** 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 Bereavement Services Manager. The Authority does not guarantee the exact location of any grave space within its Cemeteries, and reserves the right to alter the layout and location of unused graves as it sees fit, in order to maximise the available burial space within its Cemeteries.
- 10.21** All graves are to be dug and excavated under the management, regulation and control of the Bereavement Services Manager.
- 10.22** 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 six inches thick.
- 10.23** 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.
- 10.24** 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. The council reserve the right to place a concrete slab over the grave following the final interment, if there is concern about the depth of soil remaining over the final interment
- 10.25** No coffin, casket or other container containing human remains may be removed after interment except with the written consent of the Bereavement Services Office, which will only be given following the consent of the Ministry of Justice.
- 10.26** If a coffin is not used for interment the body must be enclosed in a shroud or winding sheet (the body is to be totally wrapped in this). Underneath will need to be incorporated a wooden board to provide rigidity for handling purposes. An 'outer shell' may be needed if the wrapped body may be visible to members of the public.

Right to Disturb

- 10.26** The Authority reserves the right to remove any memorial, border stone, or foot stone from an adjoining grave when such removal is deemed necessary for carrying out the work of interment in any grave. The Authority replacing any memorial, border stone, or foot stone so removed, shall make good any damage which may be done in such removal, and will advise the owner(s) where this is possible.

Bricked / Blocked Graves

- 10.27** Every brick / block grave or vault shall be properly constructed of

suitable materials. Within 24 hours of any burial in a brick / block grave or vault, the coffin shall be:-

- (a) embedded in concrete, and covered with a layer of concrete not less than 6 inches thick.

OR

- (b) enclosed in a separate cell or compartment of brick/block, slates, stone flagging or pre-cast concrete slabs of a 1:2:4 mix, in any case not less than 2 inches thick, in such a manner as to prevent, as far as may be practicable, the escape of any noxious gas from the interior of the cell or compartment.

11.0 FUNERAL SERVICES / INTERMENTS

- 11.1** All funerals / interments must take place between the hours of 9.00am and 3.00pm on Monday to Thursdays and, 9.00am and 2.00pm on Fridays and, in exceptional services, between 9.00am and 12.00 noon on Saturdays when an additional fee will be charged, unless by arrangement with the Council. Funerals are not allowed on Sundays or Public Holidays, except in cases of an emergency. In such cases, a medical certificate that immediate burial is necessary on the grounds of public health must be produced.
- 11.2** 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 Bereavement Services Officer or their representative 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.
- 11.3** Only one funeral will be allowed in the cemetery at any one time, except with the consent of the parties concerned. A minimum of 1½ hours is to be allowed between each funeral to allow for late arrival by funeral parties and the backfilling of the grave.
- 11.4** If offensive odours or liquids issue from any coffin brought for interment, a Bereavement Services Officer or representative may order that the coffin shall not be brought into the Cemetery.
- 11.5** Persons in charge of military or other large funerals must make prior arrangements with the Bereavement Services Manager.
- 11.6** 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 Bereavement Services Manager has first been obtained.
- 11.7** The Council are not responsible for notifying a Minister of Religion to attend a funeral.

12.0 RULES RELATING TO CREMATED REMAINS AREAS

- 12.1.** Subject as hereinafter mentioned, at the discretion of the Bereavement Services Manager, the Authority may permit the interment of cremated remains in a purchased grave in the cemetery, or in a cremation area, but the remains must be buried and shall not be scattered.
- 12.2** In the case of an interment of cremated remains, a certificate for burial purposes, issued by the Cremation Authority, will be required
- 12.3** Cremated remains must be buried in individual plots. These shall be marked by simple memorial tablets, wedges or headstones in keeping with the existing pattern in individual cemeteries. No more than two interments will be permissible in a Cremated Remains Plot
- 12.4** Areas set aside by the Authority for the interment of cremated remains shall be maintained in a lawned condition by the Authority.
- 12.5** The Authority's Regulations concerning the admission, the erection, maintenance, materials and inscription of memorials and gravestones referenced in these regulations at Section 7 shall apply to the memorials to be placed on Cremated Remains Plots
- 12.6** Caskets should be in accordance with the recommendations of the Institute of Cemetery and Crematorium Management (ICCM) which currently approximates to the volume of a cube of side 6", i.e. a container (urn / casket) of internal dimensions to provide not less than 200 cubic inches (3277 cu.cm): urns or caskets in excess of 400 cu. inches (6555 cu.cm) should be referred to the Senior Bereavement Services Officer prior to burial. Caskets should be securely labeled.

13.0 RULES RELATING TO WOODLAND BURIALS

13.1 In order to meet the needs of those who require a more environmentally friendly funeral, Flintshire County Council offer a Woodland or Natural Burial area for this purpose.

13.2 In order to ensure that the Woodland Burial remains as ecologically friendly as possible only bio-degradable coffins such as Wicker, Corrugated Cardboard etc. will be permitted within this area. This will also apply to Cremated Remains caskets which can also be buried in the area.

13.3 The woodland burial area will be managed to enhance and sustain wildlife and the natural environment. This will mean only one or two grass cuts per year. It must therefore be appreciated that the usual neat & tidy appearance of a Cemetery will not apply to this burial area. No Horticultural chemicals will be used or permitted within this area, unless an outbreak of injurious or noxious weeds occur that require "spot" treatment.

13.4 It will not be possible to pre purchase graves in this area. Only at the time of the first burial can an adjacent grave be reserved. Graves will only be dug to a depth of 4ft 6ins, graves for two will take the form of "side by side" graves.

Deceased of varying faiths and beliefs will be buried within the same area.

13.5 Woodland Graves offer an alternative natural form of burial in which the graves will remain forever in a "designed" natural woodland. The burial areas have been carefully planned and grave spaces accurately recorded on plans in order that they are locatable. A copy of this plan will be provided to relatives.

13.6 Given the natural environment and area of the grave under no circumstances will any memorials or edging be permitted within the area.

Floral tributes will be allowed at the time of the interment, after that time only cut flowers, without any form of wrapping will be permissible to be placed on the grave. The Authority reserve the right to remove any floral tribute that does not conform to these rules at any time, without prior notice.

Graves will be marked by the Authority with uniquely numbered Microchip which is placed at the head of each grave approximately 6 inches below the surface.

13.7 A Deed granting Exclusive Rights of Burial will be issued for each Woodland Burial, but unlike traditional graves, the period of exclusive rights is not significant as the burial will remain undisturbed, forever, as part of the natural woodland.

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

- 14.1** 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 Bereavement Services Manager, and then with the Waste & Ancillary Services Manager.
- 14.2** If a concern cannot be resolved via a dialogue with the Bereavement Services Manager under 14.1 above, the user or visitor should request information on the Council's Corporate Complaints Policy.

15.0 ALTERATIONS AND AMENDMENTS TO THE CEMETERY RULES

- 15.1** The Authority reserve to themselves the right from time to time to make any alterations, additions, or amendments to the Cemetery rules.
- 15.2** Having regard to 15.1 above, no officer or member of the Authority shall grant any concession that waives any of the cemetery rules.
- 15.3** Every person to whom the Authority 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.
- 15.4** Every person authorised to carry out works on behalf of the persons to whom the Authority 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.
- 15.5** Any indemnity or disclaimer of liability herein shall be construed for the benefit of the Authority, its members and officers, servants and agents in both contract and tort.
- 15.6** All Cemetery Regulations and Rules made by the Authority prior to the adoption of these Rules are hereby revoked.

16.0 OFFENCES IN CEMETERIES

16.1 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 any game or sport in a cemetery.

16.2 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.

16.3 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).

16.4 It is a criminal offence under Article 19 of the Local Authorities Cemeteries Order 1977 to contravene rules 10.1 and 10.21 to 10.23. On summary conviction, anyone contravening any provision of these rules is liable to a fine not exceeding Level 3 on the standard scale.

Flintshire CC - Memorial Size Guidelines

Appendix 1

Cemetery	Full Burial Plots			Ashes Plots	
	Single Memorial	Double Memorial	Kerb Sets	Tablets	Headstones
Bagillt	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	No	18ins x 12ins (457mm x 305mm)	No
Buckley	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	Yes	18ins x 12ins (457mm x 305mm)	2ft 6ins x 1ft 9 ins (0.76m x 0.54m)
Bryn Road, Connahs Quay	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	Yes	18ins x 12ins (457mm x 305mm)	2ft 6ins x 1ft 9 ins (0.76m x 0.54m)
London Road, Flint	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	No	18ins x 12ins (457mm x 305mm)	No
Greenfield No's 1 & 2	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	No	18ins x 12ins (457mm x 305mm)	No
Hawarden No's 1 & 2	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	No	18ins x 12ins (457mm x 305mm)	2ft 6ins x 1ft 9 ins (0.76m x 0.54m)
Holywell	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	Yes	18ins x 12ins (457mm x 305mm)	No
Bryn y Grog, Hope	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	No	18ins x 12ins (457mm x 305mm)	2ft 6ins x 1ft 9 ins (0.76m x 0.54m)
Rhewl	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	Yes	18ins x 12ins (457mm x 305mm)	2ft 6ins x 1ft 9 ins (0.76m x 0.54m)
Treuddyn	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	No	18ins x 12ins (457mm x 305mm)	3ft 6ins x 2ft 9ins (1.07m x 0.84m)
Kelsterton	3ft 6ins x 2ft 9ins (1.07m x 0.84m)	3ft 6 ins x 7ft (1.07m x 2.13m)	No	18ins x 12ins (457mm x 305mm)	1ft 9ins x 1ft 9ins (533mm x 533mm)

**Wooden Crosses shall not exceed 3ft (0.91m) in height above ground level and 2ft 9ins (0.84m) width
Please Note all sizes quoted are maximum allowable above ground level and includes polished bases.
Flintshire County Council will allow a tolerance of 15mm on memorial heights**