



Borough of Tamworth

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CORPORATE SCRUTINY COMMITTEE

8 January 2021

Dear Councillor

A Meeting of the Corporate Scrutiny Committee will be held in **Online Meeting on Monday, 18th January, 2021 at 6.00 pm**. Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized 'A' followed by a long horizontal line that tapers to a point on the right.

Chief Executive

A G E N D A

NON CONFIDENTIAL

- 1 Apologies for Absence
- 2 Minutes of the Previous Meeting (Pages 5 - 8)
- 3 Declarations of Interest

To receive any declarations of Members' interests (personal and/or personal and prejudicial) in any matters which are to be considered at this meeting.

When Members are declaring a personal interest or personal and prejudicial interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a personal and prejudicial interest in respect of which they do not have a dispensation.

4 Consideration of Matters referred to the Corporate Scrutiny Committee from Cabinet / Council

- a Review of Cemetery Regulations - Memorial Benches (Pages 9 - 58)**
(Report of the Leader of the Council)

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.

If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: T Jay, B Price, R Bilcliff, S Goodall, M Oates, Dr S People, P Standen,
M Summers and P Thurgood

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MINUTES OF A MEETING OF THE CORPORATE SCRUTINY COMMITTEE HELD ON 10th DECEMBER 2020

PRESENT: Councillor T Jay (Chair), Councillors B Price, S Goodall, M Oates, Dr S Peale, P Standen, M Summers and P Thurgood

The following officers were present: Jo Hutchison (Democratic Services, Scrutiny and Elections Officer), Jodie Small (Legal, Democratic and Corporate Support Assistant) and Adam Deakin (Technical Infrastructure Engineer)

46 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting held on 19 November 2020 were approved as a correct record.

(Moved by Councillor Dr S Peale and seconded by Councillor S Goodall)

47 DECLARATIONS OF INTEREST

There were no declarations of interest.

48 CHAIR'S UPDATE

There was no Chair's update beyond the matters referred to at the item below.

49 RESPONSES TO REPORTS OF THE CORPORATE SCRUTINY COMMITTEE

The Chair reported that the Committee's recommendations to Cabinet on the Q2 Quarterly Performance Report were approved as set out below:

1. that Officers are requested to ensure that the Scrutiny Chairs are advised of the timelines of their Corporate Plan projects so there is an opportunity for scrutiny to participate in the process as necessary,
2. that council staff in the collections team be thanked for their work at this difficult time.

50 2020/21 FORWARD PLAN

There were no further items identified from the Forward Plan at this time to bring forward to this Committee.

51 REVIEW OF CABINET DECISIONS - MAY 2019 TO FEBRUARY 2020

The Chair reminded members that this item was due to be considered at the cancelled March 2020 meeting, and therefore members now had the opportunity to identify any items from Cabinet and Council decisions made in the previous municipal year which could benefit from consideration or review by this Committee.

The Committee agreed that the required items for review by this Committee had been considered, and that with the current situation there was nothing further to bring forward to this Committee. The Committee noted that a similar exercise for Council and Cabinet decisions during the 2020/21 municipal year would be undertaken in spring 2021.

RESOLVED that the Review of Cabinet Decisions – May 2019 to February 2020 had been received and no further items identified for the Committee's consideration.

(Moved by Councillor T Jay and seconded by Councillor Dr S Peuple)

52 CORPORATE SCRUTINY COMMITTEE WORK PLAN

It was agreed that the Committee's work plan would be updated as set out below, with the Chair, Councillor Jay, continuing to use discretion to update as necessary.

Corporate Scrutiny Work Plan

Work Plan 2020 – 2021		
TARGET MEETING DATE	SUBJECT	MEETING WHEN ITEM ADDED TO WORK PLAN
3rd February 2021	Quarter 3 2020/21 Quarterly Performance Report	
3rd February 2021	Review of Write-Offs (interim)	July 2020
3rd February 2021	Update on Potential Legal Actions	October 2020
11th March 2021	Solway trading company update	

11th March 2021	Review of Legal Services (post implementation)	November 2019
March / June 2021	Review of Cabinet decisions over previous 12 month period	December 2020
Quarter 4 2020/21	Asset Management update	December 2019
June 2021 (tbc)	Review of Write Offs (full update)	July 2020
Dates to be agreed		
TBC	Update on corporate prioritisation	August 2020
TBC	Market tender progress Update	August 2019
TBC	Parking Toolkit review	October 2019
TBC	Housing Repairs & Investment Contract Review	November 2019
TBC	Solway Trading Company Update (2x per year)	December 2019
TBC	Gungate Masterplan	January 2020
TBC	Customer Portal - post implementation review	November 2020

Upcoming Corporate Scrutiny Committee Meetings

3 February 2021

11 March 2021

Chair

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CORPORATE SCRUTINY
REPORT OF THE LEADER OF THE COUNCIL
18th JANUARY 2021
REVIEW OF CEMETERY REGULATIONS PERTAINING TO MEMORIAL
BENCHES

Purpose

To provide Corporate Scrutiny Committee information to support the recommendation made by full Council to refer the cemetery regulations to scrutiny for review.

Background

Tamworth's Cemeteries have been governed by Regulations as far back as 1908; and are periodically reviewed. The regulations have remained 'silent' on memorial benches and trees until 1998 as requests for either were not popular prior to this time.

In 1998 Section B8 was added to the regulations which is the first time either memorial benches or trees are specifically mentioned in the regulations. All enquiries for benches or trees were through the Cemeteries Administrator. See Appendix 1.

In 2007 all applications for memorial benches and trees were suspended pending a review as the Council had received so many requests that it was not possible to accommodate all of them. Graves are only 12 inches apart in most of the cemeteries and placing benches in this space is not possible. Allowing benches where there was more space penalised those families whose graves were in more central areas, so the proposal to Cabinet at that time was to not permit any further memorial benches or trees and to introduce a Memorial Bench Plaque Scheme.

The Council was to purchase granite benches for its cemeteries, sited in locations where burials would not take place, and the public could then purchase/lease a memorial plaque for their beloved relative.

The current Cemetery Regulations – see Appendix 2, were approved by Cabinet in 2010 and in Section B15 explain that the Council does not permit memorial benches or trees, but does have the Plaque Scheme available.

Since that time the Council has placed a limited number of non-dedicated benches for the public to rest on in locations where it does not intend to bury anyone, thus creating seating areas for reflection. Space is a premium and this is reflected in the number of such benches.

Please find attached in Appendix 3 current plan showing the location of benches within the Councils cemeteries and their designation. This plan details memorial benches and those which are not.

The Council has also undertaken a review into what other local authority cemeteries permit in terms of memorial benches/plaques; although this is very subjective as each authority will have their own regulations based on the individual circumstances of each burial ground under their control. See Appendix 4.

Financial Information

The Council has an annual revenue budget of £11,370 for maintenance within all its five cemeteries, for ongoing repairs to its benches, furniture, fences etc.

The cost of a standard Council bench with installation is in the region of £1000-£1500 each with an ongoing annual maintenance cost of £100 per bench.

Should Council benches be vandalised or damaged then the removal, replacement or repair is also met from this budget. The maintenance of private memorial benches is the responsibility of the owner of the bench, however should the bench become dangerous and the owner did not remedy the situation the Council will remove said bench and stand the cost of the removal on the grounds of public safety.

The cost of leasing a plaque on one of the Council granite benches is currently £290 renewable every 5 years. The uptake of this scheme has been very limited with only 1 of the available 18 bench plaques currently leased. There is little or no income from this scheme to offset any maintenance costs.

Appendix 1	Cemetery Regulations 1998
Appendix 2	Current Cemetery Regulations 2010
Appendix 3	Cemetery Bench Locations
Appendix 4	Surrounding Authorities Regulations

Background Papers

Cabinet report 20th October 2010

C E M E T E R Y R U L E S

A N D

G U I D A N C E N O T E S

TAMWORTH

BOROUGH COUNCIL

CEMETERY RULES AND GUIDANCE NOTES

NOTE TO ALL DEED OWNERS AND THEIR REPRESENTATIVES,
STONEMASONS AND FUNERAL DIRECTORS

The Borough Council prides itself in ensuring that the Cemeteries are maintained in a safe and tidy condition to the benefit of all visitors to the area.

In order to help achieve this it is requested that Deed owners observe the following rules and guidance notes.

Should clarification or further information be required, please contact the Cemeteries Administrator on Tamworth (01827) 709343.

CONTENTS

PAGE NUMBER

SECTION A - INTERMENT ARRANGEMENTS **3/4**

A1	GRAVE SPACES	3
A2	NOTICE OF INTERMENT	3
A3	DEATH CERTIFICATES	3
A4	LOCATION OF GRAVES	4
A5	REOPENING OF GRAVES	4

SECTION B - MEMORIALS **5/6**

B1	APPROVAL TO PLACE MEMORIALS	5
B2	CONSTRUCTION MATERIALS	5
B3	SITING OF MEMORIALS	5
B4	ERECTION/REMOVAL OF MEMORIALS	5/6
B5	VASES	6
B6	MAXIMUM SIZES OF MEMORIALS	6
B7	DILAPIDATED MEMORIALS	6
B8	MEMORIAL TREES AND BENCHES	6

SECTION C - MAINTENANCE OF GRAVES **7/8**

C1	TURFING OF GRAVE SPACES	7
C2	CULTIVATION OF GRAVE SPACES	7
C3	GREEN REINFORCED EDGING	7
C4	NON-COMPLYING ITEMS	8

SECTION D - GENERAL RULES ETC. **9**

D1	OPENING HOURS	9
D2	MISCONDUCT	9
D3	DOGS	9
D4	CYCLES	9
D5	CHILDREN	9
D6	SCATTERING OF CREMATED REMAINS	9

SECTION E - FEES AND CHARGES **10/11**

E1	INTERMENTS IN EARTHEN GRAVES	10
E2	EXCLUSIVE RIGHTS OF BURIAL IN EARTHEN GRAVES	10
E3	MEMORIALS AND INSCRIPTIONS	11
E4	SEARCH FEES	11

SECTION A - INTERMENT ARRANGEMENTS

A1 GRAVE SPACES

Standard grave spaces are 9' 0" x 4' 0" (2743mm x 1219mm) and can either be double depth i.e. 7' 0" (2133mm) for up to two adult sized coffins or single depth i.e. 5' 0" (1524mm) for one adult sized coffin. Half sized grave spaces of 4' 6" x 4' 0" (1372mm x 1219mm) are used for the interment of a still born baby or infant, or for the interment of cremated remains.

A2 NOTICE OF INTERMENT

Notice of interment must be given on the form provided by the Council and must be fully completed in all cases; such notice to be given between the hours of 9.00 am and 5.00 pm to the Cemeteries Administrator on Mondays to Fridays of each week, with at least two clear working days before the burial. The times for burial shall be between 9.00 am and the time specified in the table below.

	DOUBLE DEPTH	SINGLE DEPTH	ASHES GRAVE
SUMMER (APRIL- SEPTEMBER)	1.30PM	2.30PM	3.00PM
WINTER (OCTOBER - MARCH)	1.00PM	2.00PM	2.30PM

No interments will take place on Saturdays or Sundays. The time fixed for burial must be punctually observed and will be the time of attendance at the Cemetery.

All fees must be received by this Authority with the Notice of Interment form two clear working days before the interment, unless an alternative arrangement has been agreed. For details of fees payable see Section E.

A3 DEATH CERTIFICATES

The Registrar's Certificate for Burial, or the Coroner's order for Burial where an inquest has been held, or the Certificate for the Disposal of Cremated Remains, must be handed to the Cemeteries Administrator on arrival at the Cemetery so that the details may be checked. A Certificate for Burial (Stillbirth) will be required in the case of a stillborn child in accordance with the Births and Deaths Registration Act 1953. A letter must be provided by the Hospital, Midwife or Doctor in respect of a foetus of less than 24 weeks gestation. The interment cannot proceed without the above documentation being produced beforehand.

A4 LOCATION OF GRAVES

The site for interment in respect of a public grave or a purchased grave required for immediate use shall be selected by the Cemeteries Administrator. Persons purchasing grave spaces for future use can select the site thereof subject to availability and the approval of the Council.

A5 REOPENING OF GRAVES

Before the reopening of a purchased grave the Deed of Grant of Exclusive Right of Burial in the said grave must be produced, or consent must be given in writing by the purchaser, or his/her representative, and submitted to the Cemeteries Administrator. Only the spouse or blood relative of the purchaser or Deed owner may be interred in a purchased grave.

SECTION B - MEMORIALS

B1 APPROVAL TO PLACE MEMORIALS

With the exception detailed in paragraph B5, no headstone, kerb-set, vase or other memorial or inscription thereon, will be allowed in any Cemetery within the Borough of Tamworth without the written approval of the Council. All applications for the right to place a memorial must be sent to the Cemeteries Administrator together with the appropriate fees (see section E) and must include a detailed sketch of the memorial showing the dimensions and inscriptions in full and indicating the materials to be used. Only the Deed owner or his representative may apply for permission to place a memorial. Memorials on public graves are subject to the same requirements for prior approval but are restricted to a vase or tablet only.

B2 CONSTRUCTION MATERIALS

All headstones, bases, kerb-sets, vases and other memorials shall be of natural quarried stone, such as marble or granite, or of such other material as may be approved by the Council. The grave number shall be inscribed in figures not less than ½" (12mm) high and not more than 1' 0" (25mm) high at the foot of each memorial. Should the grave number not be inscribed on the memorial the Council reserve the right to carry out the work and recharge the cost to the stonemason.

B3 SITING OF MEMORIALS

The Council will provide and lay a 3' 0" x 2' 0" (914mm x 610mm) concrete slab at the head of the grave immediately after interment has taken place and will mark the slab with the grave number. Please note that concrete slabs are only supplied as markers for the grave spaces and must be checked by the stonemasons for their suitability if to be used for the base of a memorial. The rear face of the memorial must be placed approximately 4" (102mm) back from the outer edge of the grave space and aligned with other memorials in the row before being securely fixed to the concrete slab. Kerb-sets and similar memorials must be provided with suitable foundations the top of which must be well below the surrounding ground level. Before placing a kerb-set or similar memorial the Cemeteries Administrator must be contacted to arrange a site meeting to confirm its exact location.

B4 ERECTION OF MEMORIALS

No preparation of any memorials shall take place within the Burial Grounds and the dressing of stonework on any grave is forbidden. The erection of memorials in the Cemeteries may be carried out between Monday and Friday. Special permission must be obtained from the Council if a memorial is required to be erected on a Saturday. Care must be taken by the person(s) erecting or removing any memorial to avoid damage to paths, turf and other memorials. Stonemasons must advise the Council at all times when they are working in the Cemeteries. They must identify what memorial they are attending to and the work that is being carried out. When fixing a kerb-set stonemasons must contact the Council to arrange a site meeting with an officer to ensure the correct placing of the memorial.

B4 (cont'd...)

REMOVAL OF MEMORIALS

When removing memorials all the debris, plinths, bases must be taken completely out of the Cemetery. The Council reserve the right to tidy up the area and recharge the cost to the stonemason.

B5 VASES

Each grave space is permitted a maximum of two vases incorporated in the memorial and one which can be free standing provided it is placed on the slab immediately in front of the headstone, or if the grave has no headstone, in the position normally occupied by the headstone. It is not permissible to place a vase on the grassed area of the grave space. Temporary vases (usually supplied by stonemasons whilst waiting for the headstone to be made) and vases with the inscription 'In Loving Memory' only, may be placed in the Cemetery without permission and any payment of a Cemetery fee. All vases must comply with the requirements of paragraph B2 with regard to their construction and in particular must not be made of breakable material such as glass or earthenware. Written permission must be obtained from the Council and the payment of the relevant Cemetery fee for any vase with a personal inscription.

B6 MAXIMUM SIZES OF MEMORIALS

- Headstones - maximum height permitted is 4' 0" (1219mm) including the base
- maximum width permitted is 2' 6" (762mm)
- Kerb-sets/
plinths/bases - maximum length permitted is 7' 3" (2210mm long)
- maximum width permitted is 3' 3" (990mm wide)
- Vases - maximum height 12" (305mm)
- maximum width 9" (229mm)
- maximum depth 9" (229mm)

B7 DILAPIDATED MEMORIALS

It is the Deed owners responsibility to keep all memorials on the grave in proper repair and to maintain in good order any other part of the grave space that has not been grassed over. The Council are empowered to remove, relocate, lay flat or sink any dilapidated or illegible memorial and to grass over any neglected grave. In most instances the Council will confine its activity to laying unsafe headstones flat or sinking dilapidated kerbs and grassing over. Prior to taking any such action the Council will make every effort to notify the Deed owner or his successor in writing, or, if necessary, by Public Notice.

B8 MEMORIAL TREES AND BENCHES

Memorial trees and benches may be purchased from the Council to commemorate the memory of a loved one, or a relative. For further details please contact the Cemeteries Administrator.

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SECTION C - MAINTENANCE OF GRAVES

C1 TURFING OF GRAVE SPACES

It is the Council's preferred policy to maintain as much of each Cemetery as possible as grassed areas. In most instances the Deed owner or his representative will only wish to place a headstone and possibly a vase at the head of the grave and, in such cases, the Council will automatically turf or seed over the remainder of the grave space once the ground has settled and take over responsibility for grass cutting at their own expense. However if the Deed owner or his representative wishes to take responsibility for the maintenance of the area in front of the headstone by the placing of a kerb-set, and/or the cultivation of the area, he/she is at liberty to do so subject to the limitations and procedures detailed in paragraphs B1, B2, B3, B4 & C2.

C2 CULTIVATION OF GRAVE SPACES

Anyone wishing to cultivate their grave space is permitted to do so provided it is either surrounded by an approved kerb-set or the cultivated area is not more than 2' 6" wide x 5' 0" long (762mm x 1524mm). In the latter case the Deed owner must take responsibility for the maintenance of the grass edges as well as the planted area itself. The Council reserves the right to turf over the plot should it cease to be properly maintained. If the Deed owner or, representatives wish to plant out the grave space please notify the Cemeteries Administrator as soon as possible, or, indicate on the form that will be sent approximately one month after the funeral and return in the prepaid envelope provided. However, should the option to plant out be taken but, at a later date the grave is required to be grassed over please inform the Cemeteries Administrator and instructions will be issued for the grave to be turfed over. There is no charge for this service.

During the first six months the back-filled area of the grave will tend to settle and during this period the gravediggers will top up the soil to maintain its level. For this reason it is not practical to plant out during the first six months and the Council reserves the right to remove and replace any plants to facilitate the topping up operations.

Regardless of whether the cultivation option is taken up, it is permissible to plant out the small areas on either side of the headstone up to the boundary point with the adjoining grave space. All cultivated areas are to be used for the planting of flowers and miniature shrubs only and the Council reserves the right to remove any trees or oversize shrubs should they deem it necessary.

Kerb-sets - Where applicable it is requested that planting out does not take place outside a kerb-set.

C3 GREEN REINFORCED EDGING

Deed owners wishing to place green reinforced edging around their planting out area may do so, without permission from the Council. It is suggested that these are placed as low as possible into the ground as the Council can not be held responsible if the edging is accidentally broken by the mowers when the grass is cut.

C4 NON-COMPLYING ITEMS

For reasons of safety and in order to maintain a dignified environment within the Cemeteries the following items are not permitted:

- glass containers,
- memorials of a wooden construction,
- miniature fencing,
- large flower containers including cauldrons and buckets etc. unless buried below ground level on the planting out area
- all types of plant pots must be placed on the planted out area and buried below ground level,
- any articles not mentioned in the above list made from wood, plastic, earthenware which are not in keeping with the Cemetery.

Should an unauthorised item be placed on a grave, every effort will be made to contact the Deed owner and request removal. Should it not be possible to contact the Deed owner, a notice will be attached to the offending item allowing the Deed owner or, relative a suitable amount of time to remove the item concerned. If after the given period the item is not removed the Cemetery staff will be instructed to remove same and place in the relevant Cemetery shed. The item can be collected from the shed at a prearranged time with the Cemeteries Administrator.

The grave space may be planted out or grassed over. Deed owners must ensure that any plants or shrubs placed within the grave space do not exceed more than 1' 0" (305mm) in height. Stone chippings no larger than ½" (12mm) may be used, however, they must be retained by an approved stone kerbing.

Concrete slabs are supplied by the authority for identification purposes only and must be left unaltered.

SECTION D - GENERAL RULES ETC.

D1 OPENING HOURS

The Cemeteries are open to the public from 8.00 am until the closing time detailed below when the gates will be locked.

January and February	5.00 pm
March	6.30 pm
April to September	8.00 pm
October	6.30 pm
November and December	5.00 pm

It is an offence to remain in a Cemetery at any hour when it is closed to the public.

D2 MISCONDUCT

It is an offence:

- to create a disturbance,
- commit any nuisance,
- interfere with any burial,
- interfere with any grave, memorial, flowers or plants
- or, play any game or sport in a Cemetery.

D3 DOGS

No dogs are permitted in the Cemeteries with the exception that a dog belonging to a person visiting a grave will be allowed provided it is kept on a lead at all times. Poop Scoop Bylaws are applicable and bins have been provided for the hygienic disposal of dog waste.

D4 CYCLES

No cycles are allowed in the Cemeteries.

D5 CHILDREN

No child under the age of 12 years is allowed in a Cemetery unless accompanied by a responsible person.

D6 SCATTERING OF CREMATED REMAINS

It is an offence to scatter cremated remains within the Burial Grounds without prior permission from the Cemeteries Administrator.

SECTION E - FEES AND CHARGES

The fees set out in E1 to E4 are the standard fees payable in respect of a person who, immediately before his death, was a resident of Tamworth or, in the case of a person preselecting a grave space, was a resident of Tamworth at the time of purchase. Double fees will be charged in respect of all persons residing outside the Borough of Tamworth at the time of death except in circumstances when:-

- a) the deceased had purchased the Exclusive Right of Burial whilst a resident of Tamworth;
- b) the deceased was the spouse or blood relative of a person who had purchased the Exclusive Right of Burial whilst a resident of Tamworth;
- c) the deceased was the spouse or child of a person who is currently resident in Tamworth;
- d) the deceased had died in hospital and immediately before admittance had been a resident in Tamworth;
- e) the body is of a stillborn child and the parents reside in Tamworth; in which case the standard fee will be charged.

The fees and charges detailed in this Section are applicable to the period 1 April 2000 to 31 March 2001 and will be subject to revision on 1 April 2001.

E1 INTERMENTS IN EARTHEN GRAVES

Fees indicated are for the preparation and backfilling of earthen graves and associated works.

Persons over 12 years old:

Single depth grave (5' 0" deep / 1524mm)	£200.00
Double depth grave (7' 0" deep / 2133mm)	£260.00
Persons under 12 years old:	nil

Cremated remains of persons over 12 years old	£70.00
Cremated remains of persons under 12 years old	nil
Scattering Ashes	£25.00

E2 EXCLUSIVE RIGHTS OF BURIAL IN EARTHEN GRAVES

Please note that the fees indicated are solely for the grant of an Exclusive Right of Burial for a period of 100 years and not for the purchase of the land which remains in the ownership of the Council.

Full sized grave space (9' 0" x 4' 0" / 2743mm x 1219mm)	£300.00
Half sized grave space (4'6" x 4' 0" / 1372mm x 1219mm)	£200.00

E3 MEMORIALS AND INSCRIPTIONS

Fees indicated are for the right to place a memorial on a grave and include the first inscription.

Flat Stone	£90.00
Headstone	£60.00
Footstone (for existing kerb-set)	£23.00
Kerb-set	£90.00
Vase	£30.00
Tablet Type Memorial	£30.00
Additional Inscription	£27.00

E4 SEARCH FEES

Fees indicated are for searches of registers and for copies of extracts therefrom.

Search fees per interment	£10.00
Certified copy of entry of burial	£10.00

OFFENCES WITHIN THE CEMETERIES ARE SUBJECT TO A MAXIMUM FINE OF £200 EXCEPT POOP SCOOP OFFENCES WHICH ARE SUBJECT TO A MAXIMUM FINE OF £500 AND DOG ON LEAD OFFENCES WHICH ARE SUBJECT TO A MAXIMUM FINE OF £100.

Full Rules and Regulations last updated 1998 except for price adjustment in 2000/1

CEMETERY REGULATIONS AND GUIDANCE NOTES (EXTRACT)

NOTE TO ALL DEED OWNERS AND THEIR REPRESENTATIVES, STONEMASONS AND FUNERAL DIRECTORS

The Borough Council prides itself in ensuring that the cemeteries are maintained in a safe and tidy condition to the benefit of all visitors to the area.

In order to help achieve this, Deed owners/personal representatives must observe the following regulations and guidance notes.

Should clarification or further information be required, please contact the Cemeteries Officer on Tamworth (01827) 709343.
Email: cemeteries@tamworth.gov.uk

**TAMWORTH BOROUGH COUNCIL
CEMETERY REGULATIONS AND GUIDANCE NOTES (EXTRACT)**

CONTENTS

SECTION B – MEMORIALS

- B1 Approval to place Memorials
- B2 Registered Stonemasons
- B3 Memorial Guarantees
- B4 Insurance
- B5 Construction Materials
- B6 Grave Number
- B7 Temporary Marker Slabs
- B8 Stability of Memorials
- B9 Siting of Memorials
- B10 Erection / Repairs on any Memorial
- B11 Removal of Memorials
- B12 Vases
- B13 Maximum sizes of Memorials
- B14 Dilapidated Memorials
- B15 Memorial Trees and Benches

SECTION C - MAINTENANCE OF GRAVES

- C1 Seeding of Grave Spaces
- C2 Soil from other Graves
- C3 Grassed Areas
- C4 Cultivation of Grave Spaces
- C5 Non-complying Items

SECTION D - GENERAL REGULATIONS

- D1 Opening Hours
- D2 Misconduct
- D3 Dogs
- D4 Children
- D5 Scattering of Cremated Remains

SECTION E - FEES AND CHARGES

- E1 Fee chart
- E2 Exclusive rights of Burial
- E3 Non Borough

SECTION B - MEMORIALS

B1 APPROVAL TO PLACE MEMORIALS

Please note that only qualified stonemasons registered with this authority may carry out any work on memorials in our cemeteries. (Please refer to section B2 for further information)

With the exception detailed in paragraph B12 (Vases), no headstone, kerb-set, vase or other memorial or inscription, will be allowed in any cemetery within the Borough of Tamworth without written approval from the Council.

A memorial permit is required from the Cemeteries Office to erect, refix, clean, renovate any memorial. Memorial application forms are available free of charge from the cemetery office.

Each memorial application must include a detailed sketch or picture of the proposed memorial showing the overall dimensions; full inscription and colour of lettering; type and colour of the memorial stone i.e. white marble, black granite. The Council also require an 'exploded' diagram showing exactly how each part of the memorial is fixed complying with the current National standard.

The grave owner(s)/representative(s) and the Stonemason are required to sign the memorial application form and submit to the cemeteries office together with the appropriate cemetery fee (see section E).

Public graves: Where the ownership of a grave has not been purchased families may still place a memorial on the grave but these are restricted to a vase or tablet type memorial and are subject to the same requirements and restrictions as above and payment of the relevant cemetery fee.

B2 REGISTERED STONEMASONS

Only stonemasons who are registered on our approved list may carry out works in our cemeteries. A full list of approved stonemasons is available on request from the cemetery office or can be downloaded from Tamworth Borough Council's website. www.tamworth.gov.uk

B3 MEMORIAL GUARANTEES

All stonemasons are required to offer a minimum of 10 years guarantee on their workmanship for each memorial in respect of safety and stability.

B4 INSURANCE

It is recommended that families take out insurance on their memorials against accidental damage and vandalism. Please contact your stonemason for details on this type of insurance.

B5 CONSTRUCTION MATERIALS

All headstones, bases, kerb-sets, vases and other memorials shall be of natural quarried stone, such as marble or granite, or of such other material as may be approved by the Council.

Wooden memorials such as wooden crosses are not permitted even on a temporary basis. The Council provide a 3' x 1' (914mm x 305mm) concrete foundation and marker free of charge to

mark the grave until the family may decide to place a more permanent memorial. (please refer to section C5).

B6 GRAVE NUMBER

It is the responsibility of the stonemason to ensure that the grave number is inscribed on all new and existing memorials. The grave number must be in figures not less than ½" (12mm) high and not more than 1" (25mm) high at the foot of each memorial. Should the grave number not be inscribed on the memorial the Council reserve the right to carry out the work and recharge the cost to the grave owner/stonemason.

B7 TEMPORARY MARKER SLABS

The Council will provide and lay a temporary 36" x 12" (914mm x 305mm) concrete slab at the head of the grave immediately after interment has taken place and will mark the slab with the grave number.

Please note that the concrete slabs placed by the council are for the sole purpose of marking the grave and under the current National Standards are no longer suitable to support memorials.

B8 STABILITY OF MEMORIALS

Appropriate foundations for all memorials including headstones, kerbsets, vases and tablets are to be supplied by the Stonemason. All foundations must be of a suitable size and thickness to support the memorial but must not exceed the grave width of 36" (914mm). Please place our marker slab to one side for collection by the cemetery staff.

The 3' x 1' (914mm x 305mm) concrete bases placed by the Council are for the sole purpose of marking the grave and under the current National Standards are no longer suitable to support memorials.

Stonemasons must ensure that the ground is stable before erecting any memorial. The Council will top up any grave free of charge once the stonemason has removed the memorial. Removal is at the cost of the family/stonemason.

The Council will from time to time check the stability of all memorials, if any are found to fail this test then the Council reserve the right to make safe the memorial.

B9 SITING OF MEMORIALS

All memorials including kerbsets must be aligned with other memorials in the row before being securely fixed according to the current standards and Code of Practice as recommended by National Association of Memorial Masons (NAMM).

It is the Stonemason's responsibility to ensure the correct siting of all memorials; making sure that they face the same direction as other memorials in that cemetery.

If you are unsure on any of the above points please contact the Cemeteries Officer for confirmation before fixing the memorial.

Any memorial that needs to be moved because either it was fixed incorrectly, in the wrong location or the ground is unstable will be at the Stonemason's expense. Please note that a Memorial permit must be obtained prior to carrying out this work.

B10 ERECTION, ON SITE REPAIR/CLEANING OF MEMORIALS

All Stonemasons must give the Council 24 hours notice before carrying out any work on any memorial in its cemeteries giving the appropriate Permit Number. This includes cleaning, renovation and removal of any memorial.

This rule applies even if the memorial was booked for a previous day and was not fixed or the work was not completed.

Works to memorials may be carried out between Monday and Friday during normal cemetery opening hours. Special permission must be obtained from the Council for work to be carried out on a Saturday. Stonemasons will not be allowed to carry out any works on a Sunday.

All Stonemasons must always take care when erecting or removing any memorial to avoid damage to paths, turf and other memorials.

B11 REMOVAL OF MEMORIALS

It is required that Stonemasons/ Funeral Directors notify the council when they are removing memorials for the purpose of a burial as well as to carry out additional work to the memorial.

When removing memorials all the debris, plinths, bases must be taken completely out of the cemetery. The Council reserves the right to tidy up the area and recharge the cost to the stonemason.

B12 VASES

Each grave space is permitted a maximum of two vases incorporated in the headstone and one which can be free standing provided it is placed on a foundation base immediately in front of the headstone or inside an approved kerbset. If the grave has no headstone the vase may be placed in the position normally occupied by the headstone.

It is not permissible to place a vase on the grassed area of the grave space.

Temporary vases (sometimes supplied by Stonemason's whilst waiting for a permanent memorial) and vases with the inscription 'In Loving Memory' may be placed on the concrete foundation base without permission. There is no cemetery fee for this type of memorial providing it does not have a personalised inscription.

All vases must comply with the requirements of paragraph B5 (Construction Materials) with regard to their construction i.e. not made of breakable material such as glass or earthenware.

Glass is very hazardous and will be removed immediately without notification by the cemetery staff.

B13 MAXIMUM SIZES OF MEMORIALS

Stonemasons Foundation slabs must not exceed the maximum width permitted of 36" (914mm wide).

Headstones

Maximum height permitted is 48" (1219mm height) including the base

Maximum width permitted is 30" (762mm width)

Vases

Maximum height 12" (305mm)

Maximum width 9" (229mm)

Maximum depth 9"(229mm)

Tablets

Maximum width 30" (762mm)
Maximum length 18" (457mm)

Kerb-sets

Maximum length permitted is 84" (2133mm long)
Maximum width permitted is 36" (914mm wide)
Kerbset plinths/bases maximum length 87" (2210mm long)
Kerbset plinth/bases maximum width allowed is 39" (990mm wide)

B14 DILAPIDATED MEMORIALS AND UNKEMPT GRAVE SPACES

It is the responsibility of the Deed owner / personal representative to ensure their memorial is kept in proper repair and to maintain in good order any other part of the grave space that has not been grassed over.

The Council is empowered to remove, relocate, lay flat or sink any dilapidated or illegible memorial and to grass over any neglected grave.

In most instances the Council will confine its activity to laying unsafe headstones flat or sinking dilapidated kerbs and grassing over.

Prior to taking any such action the Council will make every effort to notify the Deed owner or their successor in writing, or, if necessary, by Public Notice.

B15 MEMORIAL TREES AND BENCHES

Benches – Due to restricted open space within Tamworth's cemeteries, private memorial benches are not permitted. In order to accommodate the wishes of bereaved families they will be able to purchase a plaque space on available benches, provided by the Council. Each bench can accommodate up to four memorial plaques. The family will be responsible for the purchase of the plaque and its subsequent leasing.

The wording and sizing of the plaque will have to gain approval through the existing memorial permit process. Leasing will be for a period of five years, which is renewable on expiry.

The Council will maintain and repair all such benches but will have no liability for the plaques on the benches.

Trees- Due to lack of space it is not viable to plant any more trees in our cemeteries.

SECTION C - MAINTENANCE OF GRAVES

C1 SEEDING OF GRAVE SPACES

It is the Council's preferred policy to maintain as much of each cemetery as possible as grassed areas.

In most instances the Deed owner or his representative will only wish to place a headstone or a vase at the head of the grave. In such cases, the Council will automatically turf/seed the remainder of the grave space, free of charge, once the ground has settled and take over responsibility for grass cutting at their own expense.

However, if the Deed owner or representative wish to take responsibility for the maintenance of the area in front of the headstone by the placing of an approved kerb-set supplied and erected by a qualified stonemason, and/or the cultivation of the area, he/she is at liberty to do so subject to the limitations and procedures detailed in section B.

C2 SOIL FROM OTHER GRAVES

If there are family graves near to or next to this grave we must advise that from an operational point of view when preparing this grave for burial it may be unavoidable that the spoil from this grave is placed on one of these graves.

An additional charge would be incurred should you wish for the spoil to be completely taken away if this can be arranged at the time of the burial.

Unfortunately the placing of the spoil is something which cannot be foretold until the time of burial. Please ask your Funeral Director to discuss the matter with the cemeteries office when booking the funeral.

Should this be unavoidable the grave and surrounding area where the spoil has been placed will be completely reinstated immediately after the burial.

C3 GRASSED AREAS

Please do not place any items on the grassed area of a grave as this hinders the maintenance of that area. We will remove any such items and place in storage for families to collect at an agreed time. The council cannot be held responsible for damage to any such items.

C4 CULTIVATION OF GRAVE SPACES

Anyone wishing to cultivate their grave space is permitted to do so provided it is either surrounded by an approved kerbset supplied and erected by a qualified Stonemason or the cultivated area is not more than 2' 6" wide x 5' 0" long (762mm x 1524mm). In the latter case the Deed owner must take responsibility for the maintenance of the grass edges as well as the planted area itself.

The Council reserves the right to seed the grave if it appears that the family are no longer attending the grave.

If the Deed owner or representatives wish to plant out the grave space please notify the Cemeteries Officer as soon as possible.

Alternatively, you may complete the form, which is sent to registered owner/personal representative approximately 6 to 8 weeks after the funeral. A prepaid envelope is provided for your convenience.

However, should the option to plant out be taken but later the grave is required to be grassed over please inform the Cemeteries Officer and instructions will be issued for the grave to be seeded.

During the first six months, the back-filled area of the grave will tend to settle and during this period the cemetery team will top up the soil to maintain its level. For this reason it is not practical to plant out during the first six months and the Council reserves the right to remove and replace any plants to facilitate the topping up operation.

All cultivated areas are to be used for the planting of flowers and miniature shrubs only and the Council reserves the right to remove any trees or oversize shrubs should they deem it necessary. It is inadvisable to place ornaments in the grave area as this may encourage vandalism. Please do not place plants or remove turf outside the boundaries of the grave or kerbset.

Please note depending on the weather and current workloads graves are usually seeded during late October/November and February/March.

Pre Purchased Graves (Preselect) – The Council mark all pre purchased graves with a concrete foundation and marker. Please do not place any items on these bases or plots as they will be removed immediately.

C5 NON-COMPLYING ITEMS

For reasons of safety and in order to maintain a dignified environment within the cemeteries the following items are not permitted:

- ❑ glass containers, due to Health & Safety requirements all glass items will be removed from the grave immediately by the cemetery staff
- ❑ memorials of a wooden construction i.e. wooden crosses
- ❑ miniature fencing,
- ❑ Unofficial kerbs made from any material
- ❑ large flower containers,
- ❑ pebbles, stone chipping, gravel or, the like unless placed inside an approved kerb- set,
- ❑ any articles not mentioned in the above list made from wood, plastic, earthenware which are not in keeping with the cemetery.

Should an unauthorised item be placed on a grave, every effort will be made to contact the Deed owner/personal representative and request removal. Should it not be possible to contact the Deed owner, a removal notice will be attached to the item allowing the Deed owner or, relative a suitable amount of time to remove the item concerned.

If after the given period the item is not removed the cemetery staff will be instructed to remove and place in the relevant cemetery shed. The item can be collected from the shed at a prearranged time with the cemeteries officer.

The grave space may be planted out or grassed. Deed owners must ensure that any plants or shrubs placed within the grave space do not exceed more than 18” (305mm) in height.

The concrete marker foundation bases are supplied by the authority free of charge for identification purposes only and must be left unaltered.

SECTION D - GENERAL REGULATIONS

D1 OPENING HOURS

The cemeteries are open for pedestrian access to the public from dawn until dusk all year round. Vehicular access is only permitted for official funeral vehicles, maintenance and emergency vehicles. The exception to this is Wigginton Road Cemetery which has vehicular access via Chestnut Avenue.

Wilnecote New Cemetery is currently being opened and closed by the 'Friends of Wilnecote Cemetery' between the hours of 7am and 7pm (8pm in Summer and dusk in Winter).

Entry to a cemetery outside these hours is an offence, any person entering when a cemetery is closed does so at their own risk and is liable upon conviction to a fine.

D2 MISCONDUCT

Under the provisions of the Local Authorities Cemeteries Order 1977 it is an offence to:
wilfully create a disturbance,
commit any nuisance,
wilfully interfere with any burial,
wilfully interfere with any grave, memorial, flowers or plants
or, play any game or sport in a cemetery.

Any person found committing any of the above is liable upon conviction to a fine.

D3 DOGS

Dogs are not permitted within any of the cemeteries, with the exception that a dog belonging to a person visiting a grave will be allowed provided it is kept on a lead at all times. Contravention of this may result in a fine upon conviction

Any owner of a dog permitted to a cemetery failing to clean up after their dog will be liable to a Fixed Penalty Notice.

D4 CHILDREN

No child under the age of 12 years is allowed in a cemetery unless accompanied by a responsible person.

D5 SCATTERING OF CREMATED REMAINS

Under provisions of the Local Authorities Cemeteries Order 1977 article 10(6) it states no cremated remains must be buried in or over any grave without the consent of the registered owner in writing to the council. Any person contravening this provision is liable on summary conviction to a fine. Please contact the cemeteries office (Telephone 01827 709343 or email cemeteries@tamworth.gov.uk for further details.

SECTION E - FEES AND CHARGES

E1 Fees effective from 1st April 2020 to 31st March 2021

Fees and Charges	
Exclusive rights of burial (50 years) Full Grave (including first memorial)	£868
Exclusive rights of burial (50 years) Half Grave (including first memorial)	£695
Burial of a child (up to 16 years inclusive)	No charge
Single depth grave digging fees	£462
Double depth grave digging fees	£579
Treble depth grave digging fees	£868
Burial of cremated remains	£173
Scattering of cremated remains (within a grave)	£88
Permission to place memorial (grave purchased prior to Jan 2014)	£173
Permission to place tablet or vase (grave purchased prior to Jan 2014)	£88
Permission for an additional inscription to an existing memorial	£70
Administration charge to pre purchase	£57
Transfer of ownership (exclusive Right of burial)	£57
Renunciation charge per person	£12
Memorial plaque space for 5 years- renewable	£290
Locate and mark a grave	£17
Exhumation request administration fee	£290

E 2 Exclusive Rights of Burial as from 1st December 2010 the rights to a grave are for a period of 50 years. The rights can be renewed after this time for periods of additional 25 years. The fee to renew will be 50% of the fee for exclusive rights in place at the time of renewal.

E 3 Double Fees charged for Non Borough – Non Residents (Non Resident is a person who pays their Council Tax to another council)

Double Fees will be charged:

- **Pre purchased graves** - the Exclusive Rights of Burial fee is doubled if at the time of purchase the new owner(s) is a Non Resident of Tamworth.
- **Burial Fees** are doubled if at the time of death the deceased is a Non Resident of Tamworth (even if the exclusive rights to the grave were purchased whilst they were a resident of Tamworth).
- **Memorials Fees** are doubled for Non Residents.

Exclusions to this rule:

- **Nursing Homes/Hospitals residency**
Single fees apply if prior to moving to a nursing home/hospital which is out of the Borough, the deceased was a resident of Tamworth. There is no time restriction on how long the person lived in the Nursing Home/hospital.
- **Administration Fees / Statutory Declaration fees** are not doubled for non residents.

If you have any queries please do not hesitate to contact the cemeteries officer on Telephone no. 01827 709343 or email: cemeteries@tamworth.gov.uk

Appendix 3 - Bench Locations

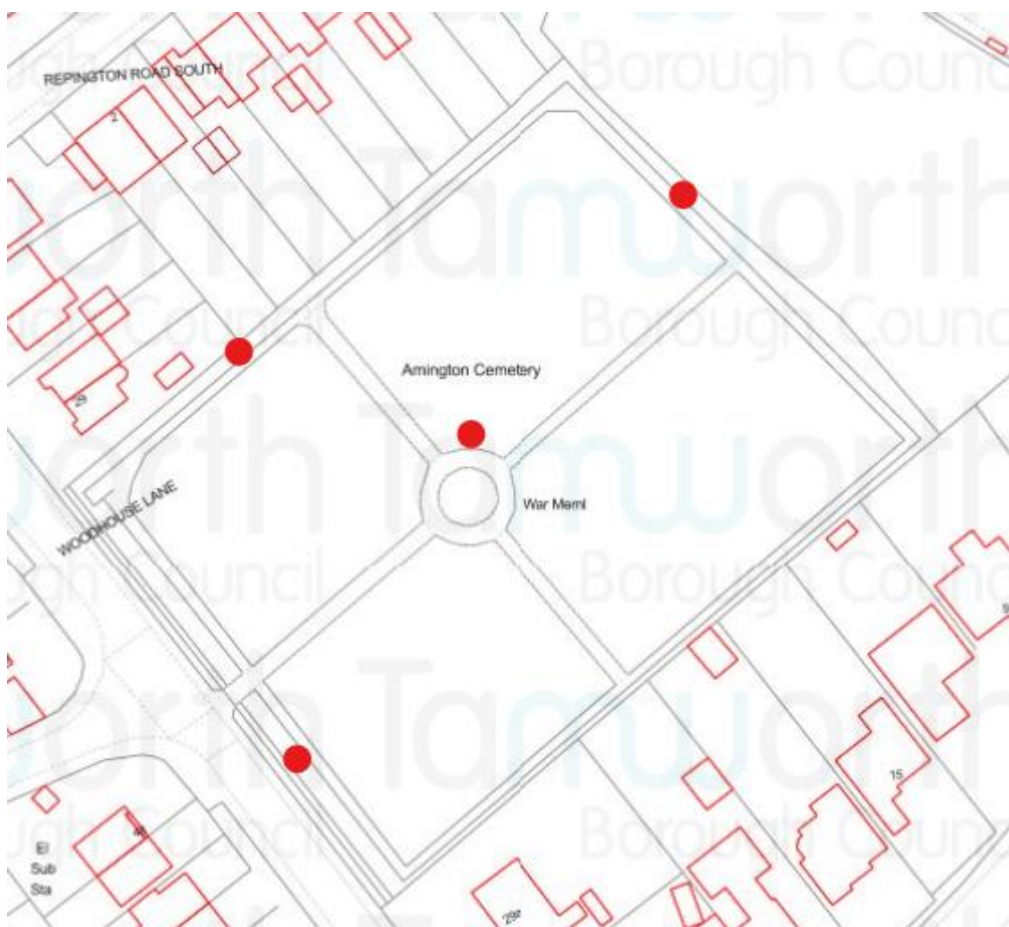
Key

Red dots donate memorial benches

Green dots donate granite TBC benches suitable for plaque scheme

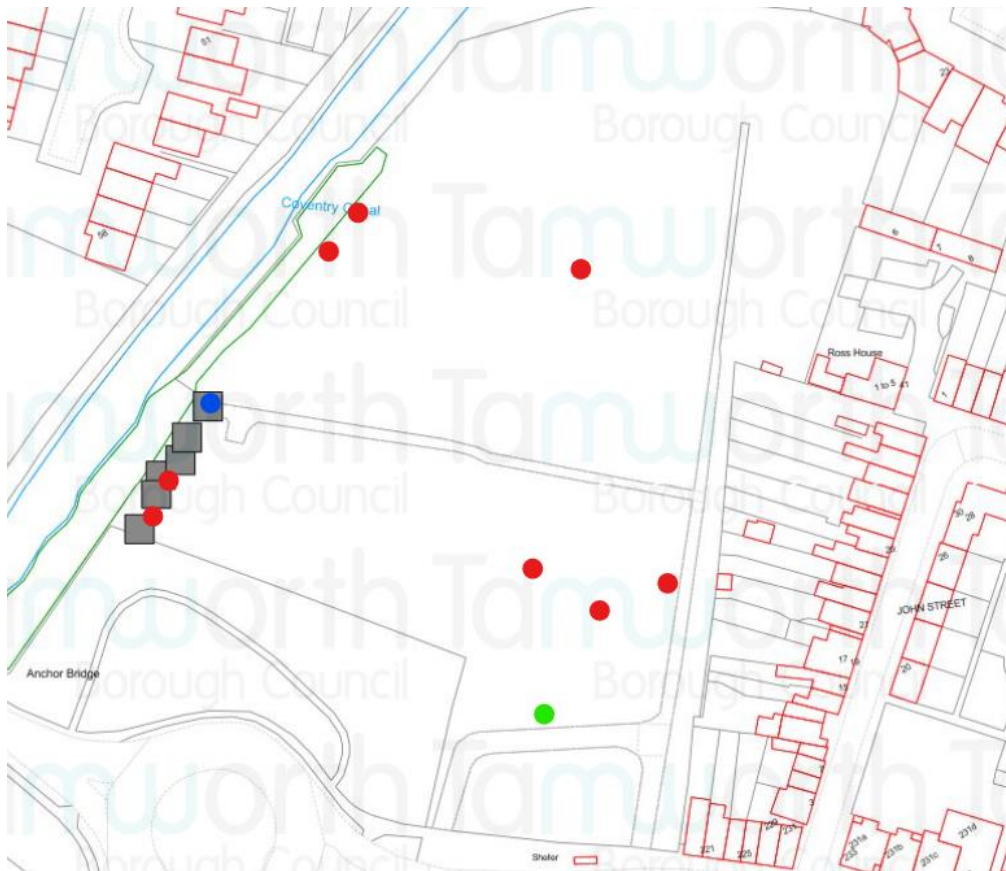
Blue dots donate TBC benches none memorial type

1 Amington Cemetery



4 memorial benches

2 Glascoate Cemetery

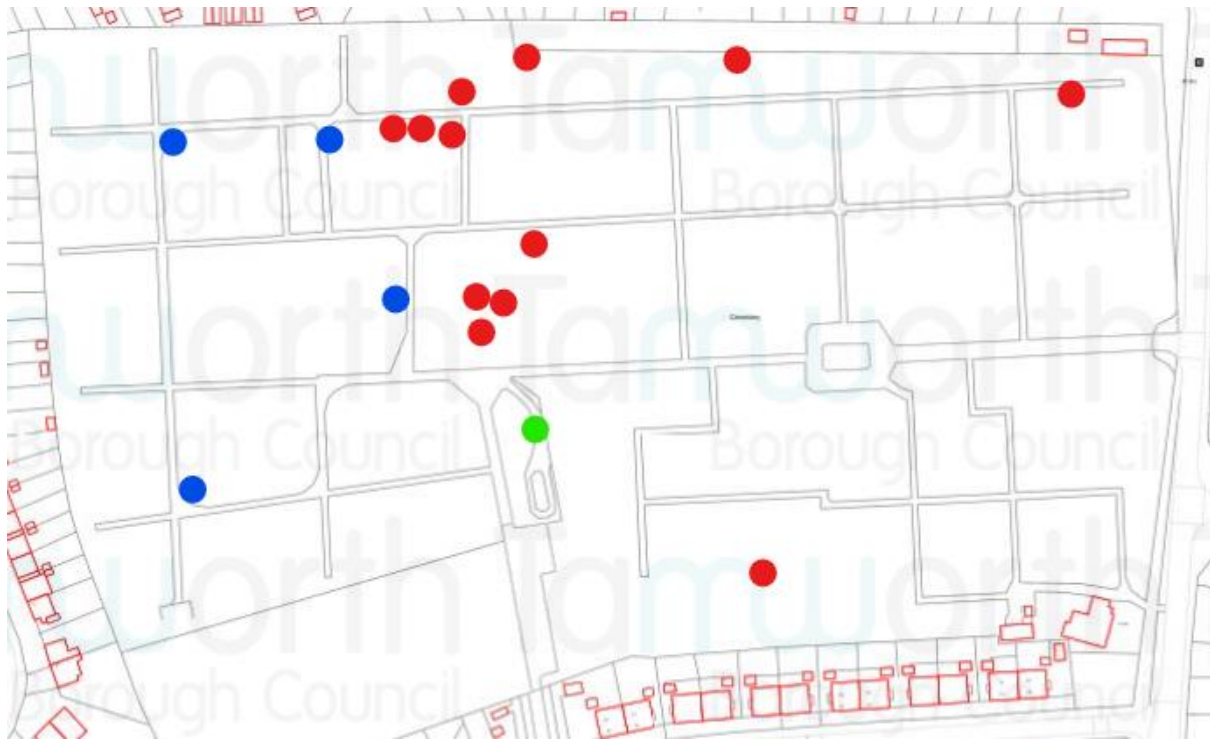


8 memorial benches

1 granite bench for plaques

1 standard TBC seating bench

3 Wigginton Road Cemetery

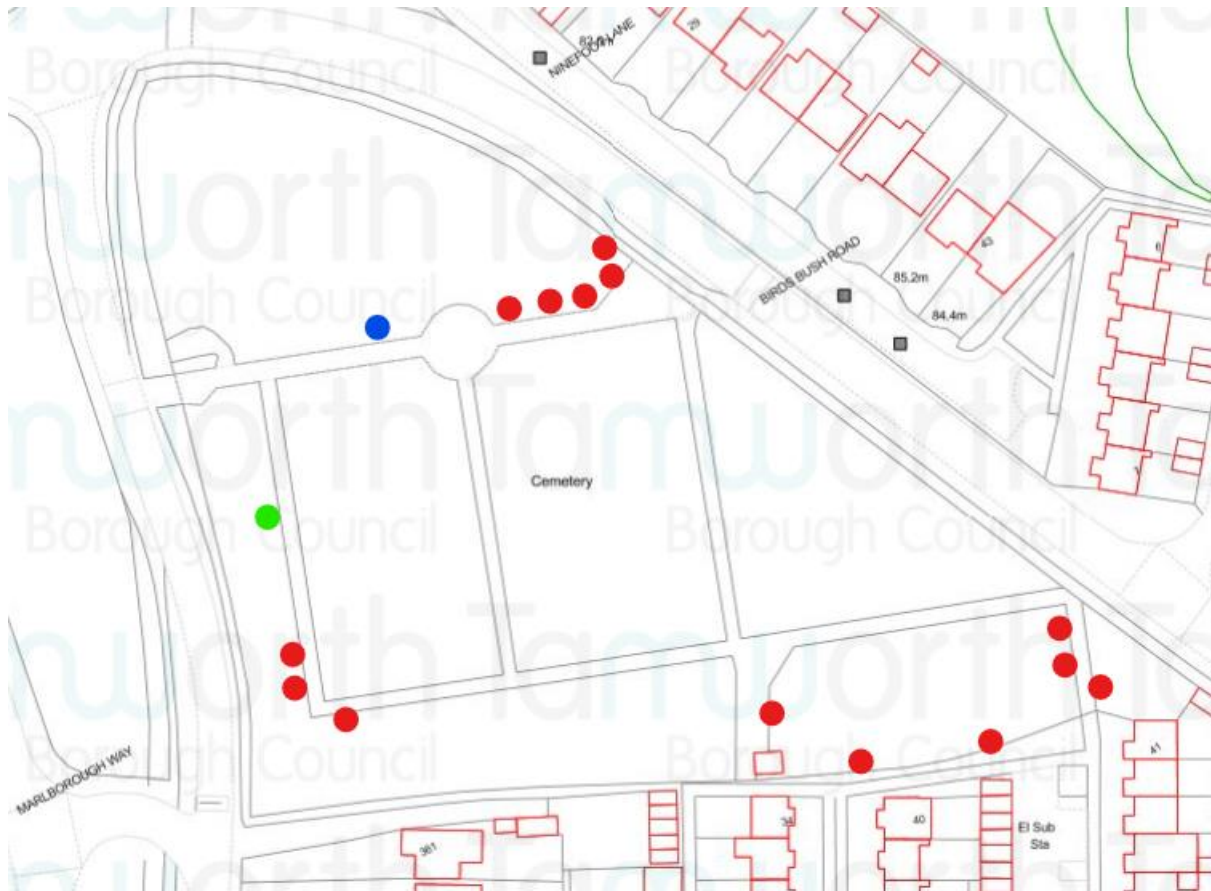


12 memorial benches

1 granite bench for plaques

4 standard TBC seating bench

4 Wilnecote Cemetery



- 14 memorial benches
- 1 granite bench for plaques
- 1 standard TBC seating bench

5 Wilnecote Old Cemetery

There are no benches in Wilnecote Old Cemetery

Appendix 4 Surrounding Authorities Regulations

A review of twenty Council websites in the Midlands area who offer a burial service, reveals that half currently offer new memorial benches for purchase/lease.

Nine of these state that the location of the bench will be determined by the Cemetery Manager.

The location of memorial benches

Birmingham City Council

'The position of the bench must be agreed with the Superintendent/ Bereavement Officer prior to order/installation as benches can only be placed in certain areas. We also reserve the right to reposition the bench at any time should we feel it necessary to do so or to remove it completely ~ particularly should it become unsafe.'

Cannock

'Our distinctive memorial benches are made of recycled plastic, which has the benefits of being long lasting, durable and maintenance free. Each bench is supplied with a flush fitting stainless steel plaque with an inscription of your choice. The benches may be placed in a suitable position following a discussion with cemetery staff.'

South Staffordshire

Offer a plaque on existing benches –

'These options are available on a lease basis for either three, five or ten years.'

Stafford

'A limited number of positions are available for memorial seats. The seats are leased for a period of ten years with an additional ten-year period available, subject to payment.'

Benches are provided by and remain the property of the Council

Solihull

'Plaques communal or individual benches. Provide bench and plaque, property of Solihull MBC. Position at discretion of manager.'

'We will contact you once we have received your order to discuss the location of the bench with you,

Benches are allocated on a plan and the final position of the bench is at the discretion of the Manager.'

Birmingham City Council

'Please note only approved benches are allowed to be placed within the city cemeteries. You are not permitted to bring alternative benches into this cemetery and as such we reserve the right to re-remove any unauthorised benches.'

Hinckley and Bosworth

'We can arrange for the purchase and installation of memorial benches. The placement of benches is restricted to certain locations within the cemetery.'

Dudley

'The location* and fixing of the seat are subject to the agreement of the Council and any future relocation, due to redevelopment needs, will be agreed with the applicant at that time.'

Nuneaton and Bedworth

'...endeavour to accommodate wishes regarding the position of the bench; this is dependent on there being room and that it is considered as a suitable position.'

We recommend that you visit our cemeteries to look for suitable locations that will work for you.'

Charnwood

'Applicants can apply for benches to be installed in open spaces in memory of loved ones. These could be refurbishment of existing benches or replacements for old benches, but additional benches in new locations will be considered.'

Charnwood's application form asks for -

'PREFERRED LOCATION OF SEAT (PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE):'

Leicester City Council

'The memorial rose bush or tree will be positioned in accordance with the corresponding cemetery plans for the area. The memorial bench will be positioned in the cemetery in agreement with the cemetery manager.'

Four Councils offer memorial plaques for existing benches.

Shropshire

Following a review of all of their Cemeteries 2009- see below:-

3.17 It is therefore recommended that at this time no further benches be permitted within the Garden of Remembrance or Cemetery grounds and that officers be given the power to remove benches that are not maintained, after waiting one month after notifying the named donor. Existing maintained benches will remain and may be reendowed. On the expiry of an endowment the bench may be removed or relocated.

They now offer plaques on existing benches.

Sandwell

'11. Bench Plaques (existing benches only) *
Additional plaque on existing bench for remainder of lease £265

*New benches are no longer available'

Solihull

‘You can have an inscribed bronze memorial plaque secured to a communal or individual bench in the cemetery.

A communal bench will already be in situ, it is not exclusive it is shared by up to to five families to commemorate their loved ones.’

Redditch Borough Council and Bromsgrove District Council

‘1. The location of the bench must be agreed with the Council. It will not always be possible to place a bench in the preferred location, but every effort will be made to find a suitable compromise.’

Redditch Bench Conditions of Lease

The Council will try to accommodate individual requests for memorial benches, but it is important to remember that the cemeteries and crematorium are open spaces enjoyed by a wide range of users. The Council will therefore ensure that the memorial bench process is managed and regulated for the mutual benefit of all.

Memorial Benches – Conditions of the Lease

1. Only memorial benches and plaques leased through and placed by the Council will be allowed in the cemeteries and crematorium. Any benches that are placed in the sites from any other source may be removed by the Council and retained for a period of three months from the date of removal so they may be collected.
2. The benches and plaques will be placed on a ten year lease basis. The benches and plaques will remain the property of the Council throughout their life.
3. At the end of the lease period the purchaser will be given the option of renewing the lease for a further ten year period. It is the purchaser’s responsibility to keep the Council informed of any changes of address or details during the period of the lease. If the purchaser cannot be traced, or does not respond to Council correspondence, the lease will be terminated six months after the lease expiry date.
4. If the lease is not renewed the plaque will be removed and retained for a period of 6 months, during which time it can be collected by the purchaser or somebody appointed by them. If it is not collected it will be sensitively disposed of after six months.

5. Once a plaque has been removed from a bench, that bench may be re-leased by any other person, and a new memorial plaque(s) added.
6. The Council reserves the right to refuse any inscription on a memorial plaque that it deems inappropriate or unsuitable for the location.
7. The location of the bench must be agreed with the Council. It will not always be possible to place a bench in the preferred location, but every effort will be made to find a suitable compromise.
8. The memorial bench will be placed by the Council on a suitable base.
9. No personal items can be placed on, beneath or beside the seats. Items that are placed may be removed by the Council and if so will be retained for a period of three months from the date of removal so they may be collected. If items are not collected within this period the Council reserves the right to dispose of such items.
10. The Council will periodically clean the benches and carry out any other maintenance that is deemed necessary. Any maintenance by a third party after the initial installation of benches or plaques will only be permitted by prior written agreement of the Council.
11. The Council cannot be held responsible for any damage to the benches or plaques caused by vandalism, acts of nature or by third parties. In the event of such damage the Council reserves the right to charge the leaseholder for the cost of any repairs.
12. The Council reserves the right to remove any benches that become dilapidated, damaged beyond repair or where the terms of this policy have not been adhered to.
13. The Council reserves the right to refuse to place a memorial bench or to suspend the memorial bench scheme if, in the opinion of the Council, the sites become overstocked with benches.
14. Existing wooden benches that were placed in the cemeteries or crematorium before the introduction of this policy may be removed by the Council once they have reached the end of their natural life, or, in the opinion of the Council, they become unsafe, unsightly or beyond economic repair. Attempts will be made to contact the bench owner prior to removal wherever possible, and notices will be placed on the benches for a minimum period of three months prior to removal.

15. The Council reserves the right to amend these guidelines and any regulations relating to memorial benches at any time.

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Cabinet 20th October 2010

Report of Portfolio Holder for Public Health and Wellbeing

Proposed Amendments to Cemetery Regulations, Revision of Fees and Charges

Purpose of Report

To seek Cabinet approval to:

- a) Approve the updated Cemetery Regulations
- b) Approve the revised fees and charges structure, and
- c) Cease the locking and unlocking of the cemetery gates

Executive Summary

Cemetery Regulations The current cemetery regulations have been in force for several years and as with other regulations now require updating. The recent memorial Safety Testing programme has highlighted problems with unofficial memorials and unauthorised items on graves, which have been incorporated into this review.

It is intended that should the revised Regulations be approved they will be published and advertised widely coinciding with new cemetery information boards within each cemetery.

The proposed New Cemetery Regulations and Guidelines are attached as Appendix 1 and all amendments to the previous regulations are highlighted in italics.

Fees and Charges The current fees and charges have not been increased since October 2005, the proposals for the revised fees and charges are attached as Appendix 2.

It is further proposed to clarify the following points:

Exclusive Right of Burial *We currently sell the rights to a grave for a period of 100 years and in with this is the right to place a memorial. Many authorities now sell the rights for a renewal period of between 25, 50 and 75 years in order to maintain contact with families. It also provides additional income. It is recommended that Tamworth reduces their term to a 50 year fee period, renewable after each additional 25 years.*

It is proposed that we charge 50% of the fee payable at the date of renewal

Borough and Non Borough Charges (single and double fees) *Current guidelines are very confusing depending on residency at the time of purchase of a grave and at the time of death. The following is proposed:-*

Pre Purchased graves (Exclusive Right of Burial) – *charge single fees for residents and double fees for non residents who wish to purchase the Exclusive Right of Burial.*

Burials – *charge single fees for residents and double fees for non residents irrelevant whether they pre-purchased the grave whilst they lived in Tamworth or have blood relatives who still live in Tamworth and own the grave.*

Nursing Home/Hospital residency - *if prior to moving to a Nursing Home/Hospital which is out of the Borough the deceased was a resident of Tamworth there should be no time limit and single fees should always be charged. Special consideration should also be given to elderly or infirm Tamworth residents who have to move in with their families living outside the Borough.*

Baby's/Children -

Children born outside of Tamworth and parents live in Tamworth – single fees if they wish to purchase the exclusive rights of burial.

Children born outside of Tamworth and parents are non resident – double fees unless there is a family member who lives in Tamworth and the parents of the child are happy for them to be the owner of the grave.

Currently we do not charge for burying children up to 12 years. It is recommended that we increase this age to 16. Families still pay the full rate if they purchase the rights to a grave.

Administration Fees - *To charge an administration fee of £45 for families selling back the graves to Tamworth Borough Council.*

Cemetery Gates/Closing Times

Traditionally all cemetery gates in Tamworth have been locked overnight throughout the year. It currently costs the authority £18,000 a year to close and lock the cemetery gates.

It is suggested that the pedestrian gates remain open all year round and new signage be placed in each cemetery stating that the cemetery is open for pedestrian access from dawn till dusk. At all other times there is no permitted access and any access is illegal and at the public's own risk. All vehicular gates will remain closed at all times unless there is either a funeral or ongoing maintenance within the cemetery. Each cemetery is different in its accessibility and the following should be noted:

Amington Cemetery - currently has one large double gate. It is proposed to keep one half of the gate locked. Parking is available on the main road outside the cemetery.

Glascote Cemetery - currently two large double gates. Due to parking restrictions because the cemetery is on the main road it is proposed to leave these gates open giving access to the parking area. Vehicular access will be restricted to the main cemetery by the installation of bollards.

Parking will remain available just inside the cemetery but not into the area with the graves.

Wigginton Road Cemetery - currently two large double gates at side entrance, one pedestrian gate from main road and one double gate on main road.

- Main Entrance - It is proposed to keep the double gate on the main road locked unless there is a funeral. The pedestrian gate will be left open.
- Side Entrance – allotments and car park

It is suggested that the front gates are left open giving access to the car park. To close the second set of double gates and create a pedestrian access through to the cemetery.

Wilnecote New Cemetery - has front and rear access gates.

Double gates will be locked, permitted access for funerals and maintenance only. Pedestrian gates will remain open. Parking is available on Wilnecote Lane outside cemetery.

Wilnecote Old Cemetery - there is no vehicular access, pedestrian gate to remain open. Parking is available in the road outside the cemetery.

Financial Implications

Signage and advertising of the new Cemetery Regulations will be met from within existing budgetary provision.

The cessation of the closing of the cemetery gates will generate a saving of £15,000 from the existing budget. £6000 of this initial saving will be utilised to purchase the memorial benches and memorial plaque holders for the memorial trees. Additional benches etc will be financed from the income of plaque leasing.

Recommendations

Members are requested to:-

- 1 Approve the updated Cemetery regulations
- 2 Approve the revised fees and charges structure from 1 December 2010.
- 3 Approve the cessation of the locking of all cemetery gates for a trial period of 12 months, with a view to making this permanent should there be no serious issues resulting from this action.

*For further information on this report, please contact
Andrew Barratt x 453 or Sarah McGrandle x 349*



DRAFT

CEMETERY REGULATIONS AND GUIDANCE NOTES OCTOBER 2010

NOTE TO ALL DEED OWNERS AND THEIR REPRESENTATIVES, STONEMASONS AND FUNERAL DIRECTORS

The Borough Council prides itself in ensuring that the cemeteries are maintained in a safe and tidy condition to the benefit of all visitors to the area.

In order to help achieve this it is requested that Deed owners/personal representatives observe the following regulations and guidance notes.

Should clarification or further information be required, please contact the cemeteries officer on Tamworth (01827) 709343. Email: cemeteries@tamworth.gov.uk

Please note all amendments are highlighted in italics

TAMWORTH BOROUGH COUNCIL CEMETERY REGULATIONS AND GUIDANCE NOTES

CONTENTS

SECTION A – INTERMENT ARRANGEMENTS

- A1 Grave spaces
- A2 Notice of interment
- A3 Death certificates
- A4 Location of graves
- A5 Reopening of graves

SECTION B - MEMORIALS

- B1 Approval to place Memorials
- B2 Registered Stonemasons
- B3 Memorial Guarantees
- B4 Insurance
- B5 Construction Materials
- B6 Grave Number
- B7 Temporary Marker Slabs
- B8 Stonemasons Foundation Slabs
- B9 Siting of Memorials
- B10 Erection / Repairs on any Memorial
- B11 Removal of Memorials
- B12 Vases
- B13 Maximum sizes of Memorials
- B14 Dilapidated Memorials
- B15 Memorial Trees and Benches

SECTION C - MAINTENANCE OF GRAVES

- C1 Seeding of Grave Spaces
- C2 Soil from other Graves
- C3 Grassed Areas
- C4 Cultivation of Grave Spaces
- C5 Non-complying Items

SECTION D - GENERAL REGULATIONS

- D1 Opening Hours
- D2 Misconduct
- D3 Dogs
- D4 Children
- D5 Scattering of Cremated Remains

SECTION E - FEES AND CHARGES

- E1 Fee chart

SECTION A – INTERMENT ARRANGEMENTS

A1 GRAVE SPACES

Standard grave spaces are 9'0" x 4'0" (2743mm x 1219mm) and can be either double depth i.e. 7'00" (2133mm) for up to two adult sized coffins or single depth i.e. 5'0" (1372mm) for one adult sized coffin. Half sized grave spaces of 4'6" x 4'0" (1372mm x 1219mm) are used for the interment of a still born baby or infant, or for the interment of cremated remains.

A2 NOTICE OF INTERMENT

Notice of interment must be given on the form provided by the Council and must be fully completed in all cases; such notices are to be handed in between the hours of 9.00am and 5.00pm to the Cemeteries Office on Mondays to Fridays of each week, with at least three clear working days before the burial. The times for burial shall be between 9.00am and the times specified in the table below:-

	DOUBLE DEPTH	SINGLE DEPTH	ASHES GRAVE
MON - THUR	1.00PM	1.30PM	2.30PM
FRIDAY	12.30PM	1.00PM	2.00PM

Interments will not normally take place on a Saturdays or Sundays. The time fixed for a burial must be punctually observed and will be the time of attendance at the cemetery.

All fees must be received by the Council with the Notice of Interment form three clear working days before the interment, unless an alternative arrangement has been agreed. See Section E for current fees.

A3 DEATH CERTIFICATES

The Registrar's Certificate for Burial, or the Coroners Order for Burial where an inquest has been held, or the Certificate of Disposal of Cremated remains, must be handed to the Cemeteries officer on arrival at the cemetery so that the details may be checked. A Certificate of Burial (Stillbirth) will be required in the case of a stillborn child in accordance with the Births and Deaths Registration Act 1953. A letter must be provided by the hospital, midwife or Doctor in respect of a foetus of less than 24 weeks gestation. The interment cannot proceed without the above documentation being produced beforehand.

A4 LOCATION OF GRAVES

The site for interment in respect of a public grave or a purchased grave required for immediate use shall be selected by the Council. Persons purchasing grave spaces for future use can select the site thereof subject to availability and the approval of the Council.

A5 REOPENING OF GRAVES

Before the reopening of a purchased grave the Deed of Exclusive Right of Burial for the said grave must be produced, or consent must be given in writing by the purchaser or his/her representative, and submitted to the Cemeteries Office. Or in the event of their death, a new owner can be established through consent of the representation and the completion of a statutory declaration.

SECTION B - MEMORIALS

B1 APPROVAL TO PLACE MEMORIALS

Please note that only qualified stonemasons registered with this authority may carry out any work on memorials in our cemeteries. (Please refer to section B2 for further information)

With the exception detailed in paragraph B12 (Vases), no headstone, kerb-set, vase or other memorial or inscription, will be allowed in any cemetery within the Borough of Tamworth without written approval from the Council.

A memorial permit is required from the Cemeteries Office to erect, refix, clean, renovate any memorial. Memorial application forms are available free of charge from the cemetery office.

Each memorial application must include a detailed sketch or picture of the proposed memorial showing the overall dimensions; full inscription and colour of lettering; type and colour of the memorial stone i.e. white marble, black granite. The Council also require an 'exploded' diagram showing exactly how each part of the memorial is fixed complying with the current National standard.

Both the grave owner/representative and the Stonemason are required to sign the memorial application form and submit to the cemeteries office together with the appropriate cemetery fee (see section E).

Public graves: Where the ownership of a grave hasn't been purchased families may still place a memorial on the grave but these are restricted to a vase or tablet type memorial and are subject to the same requirements and restrictions as above and payment of the relevant cemetery fee.

B2 REGISTERED STONEMASONS

Only stonemasons who are registered on our approved list may carry out works in our cemeteries. A full list of approved stonemasons is available on request from the cemetery office or can be downloaded from Tamworth Borough Council's website. www.tamworth.gov.uk ('C'–Cemeteries– Registered Stonemason List)

B3 MEMORIAL GUARANTEES

All stonemasons are required to offer a minimum of 10 years guarantee on their workmanship for each memorial in respect of safety and stability.

B4 INSURANCE

It is recommended that families take out insurance on their memorials against accidental damage and vandalism. Please contact your stonemason for details on this type of insurance.

B5 CONSTRUCTION MATERIALS

All headstones, bases, kerb-sets, vases and other memorials shall be of natural quarried stone, such as marble or granite, or of such other material as may be approved by the Council.

Wooden memorials such as wooden crosses are not permitted even on a temporary basis. The Council provide a 3' x 2' (914mm x 610mm) concrete foundation and marker free of charge to mark the grave until the family may decide to place a more permanent memorial. (please refer to section C5).

B6 GRAVE NUMBER

It is the responsibility of the stonemason to ensure that the grave number is inscribed on all new and existing memorials. The grave number must be in figures not less than ½" (12mm) high and not more than 1" (25mm) high at the foot of each memorial. Should the grave number not be inscribed on the memorial the Council reserve the right to carry out the work and recharge the cost to the stonemason.

B7 TEMPORARY MARKER SLABS

The Council will provide and lay a temporary 36" x 24" (914mm x 610mm) concrete slab at the head of the grave immediately after interment has taken place and will mark the slab with the grave number.

Please note that the concrete slabs placed by the council are for the sole purpose of marking the grave and under the current National Standards are no longer suitable to support memorials.

B8 STABILITY OF MEMORIALS

Appropriate foundations for all memorials including headstones, kerbsets, vases and tablets are to be supplied by the Stonemason. All foundations must be of a suitable size and thickness to support the memorial but must not exceed the grave width of 36" (914mm). Please place our marker slab to one side for collection by the cemetery staff.

The 3' x 2' (914mm x 610mm) concrete bases placed by the Council are for the sole purpose of marking the grave and under the current National Standards are no longer suitable to support memorials.

Stonemasons must ensure that the ground is stable before erecting any memorial. The Council will top up any grave free of charge once the stonemason has removed the memorial. Removal is at the cost of the family/stonemason.

The Council will from time to time check the stability of all memorials, if any are found to fail this test then the Council reserve the right to make safe the memorial.

B9 SITING OF MEMORIALS

All memorials including kerbsets must be aligned with other memorials in the row before being securely fixed according to the current standards and Code of Practice as recommended by National Association of Memorial Masons (NAMM).

It is the Stonemason's responsibility to ensure the correct siting of all memorials making sure that they face the same direction as other memorials in that cemetery.

If you are unsure on any of the above points please contact the Cemeteries Officer for confirmation before fixing the memorial.

Any memorial that needs to be moved because either it was fixed incorrectly, in the wrong location or the ground is unstable will be at the Stonemason's expense.

Please note that a Memorial permit must be obtained prior to carrying out this work.

B10 ERECTION, ON SITE REPAIR/CLEANING OF MEMORIALS

All Stonemasons must give the Council 24 hours notice before carrying out any work on any memorial in its cemeteries giving the appropriate Permit Number. This includes cleaning, renovation and removal of any memorial.

This rule applies even if the memorial was booked for a previous day and was not fixed or the work was not completed.

Works to memorials may be carried out between Monday and Friday during normal cemetery opening hours. Special permission must be obtained from the Council for work to be carried out on a Saturday. Stonemasons will not be allowed to carry out any works on a Sunday.

All Stonemasons must always take care when erecting or removing any memorial to avoid damage to paths, turf and other memorials.

B11 REMOVAL OF MEMORIALS

It is required that Stonemasons/ Funeral Directors notify the council when they are removing memorials for the purpose of a burial as well as to carry out additional work to the memorial.

When removing memorials all the debris, plinths, bases must be taken completely out of the cemetery. The Council reserves the right to tidy up the area and recharge the cost to the stonemason.

B12 VASES

Each grave space is permitted a maximum of two vases incorporated in the headstone and one which can be free standing provided it is placed on a foundation base immediately in front of the headstone or inside an approved kerbset. If the grave has no headstone the vase may be placed in the position normally occupied by the headstone.

It is not permissible to place a vase on the grassed area of the grave space.

Temporary vases (sometimes supplied by Stonemason's whilst waiting for a permanent memorial) and vases with the inscription 'In Loving Memory' may be placed on the concrete foundation base without permission. There is no cemetery fee for this type of memorial providing it does not have a personalised inscription.

All vases must comply with the requirements of paragraph B5 (Construction Materials) with regard to their construction i.e. not made of breakable material such as glass or earthenware.

Glass is very hazardous and will be removed immediately without notification by the cemetery staff.

B13 MAXIMUM SIZES OF MEMORIALS

Stonemasons Foundation slabs must not exceed the maximum width permitted of 36" (914mm wide).

Headstones

Maximum height permitted is 48" (1219mm height) including the base
Maximum width permitted is 30" (762mm width)

Vases

Maximum height 12" (305mm)

Maximum width 9" (229mm)

Maximum depth 9" (229mm)

Tablets

Maximum width 30" (762mm)

Maximum length 18" (457mm)

Kerb-sets

Maximum length permitted is 84" (2133mm long)

Maximum width permitted is 36" (914mm wide)

Kerbset plinths/bases maximum length 87" (2210mm long)

Kerbset plinth/bases maximum width allowed is 39" (990mm wide).

B14 DILAPIDATED MEMORIALS AND UNKEMPT GRAVE SPACES

It is the responsibility of the Deed owner / personal representative to ensure their memorial is kept in proper repair and to maintain in good order any other part of the grave space that has not been grassed over.

The Council is empowered to remove, relocate, lay flat or sink any dilapidated or illegible memorial and to grass over any neglected grave.

In most instances the Council will confine its activity to laying unsafe headstones flat or sinking dilapidated kerbs and grassing over.

Prior to taking any such action the Council will make every effort to notify the Deed owner or his successor in writing, or, if necessary, by Public Notice.

B15 MEMORIAL TREES AND BENCHES

Benches – *Due to restricted open space within Tamworth's cemeteries, private memorial benches are not permitted. In order to accommodate the wishes of bereaved families they will be able to purchase a plaque space on available benches, provided by the Council. Each bench can accommodate up to four memorial plaques. The family will be responsible for the purchase of the plaque and its subsequent leasing. The wording and sizing of the plaque will have to gain approval through the existing memorial permit process. Leasing will be for a period of five years, which is renewable on expiry.*

The Council will maintain and repair all such benches but will have no liability for the plaques on the benches.

Trees- *Due to lack of space it is not viable to plant any more trees in our cemeteries. However, families are allowed to purchase plaque spaces around existing trees in the cemeteries planted previously by the Council. It is anticipated that 4 plaques can be sited by each tree. The family will be responsible for the purchase of the plaque and its subsequent leasing. The wording and sizing of the plaque will have to gain approval through the existing memorial permit process. Leasing will be for a period of five years, which is renewable on expiry, the Council will have no liability for the memorial tree plaques.*

SECTION C - MAINTENANCE OF GRAVES

C1 SEEDING OF GRAVE SPACES

It is the Council's preferred policy to maintain as much of each cemetery as possible as grassed areas.

In most instances the Deed owner or his representative will only wish to place a headstone or a vase at the head of the grave. In such cases, the Council will automatically turf/seed the remainder of the grave space, free of charge, once the ground has settled and take over responsibility for grass cutting at their own expense.

However, if the Deed owner/ representative wishes to take responsibility for the maintenance of the area in front of the headstone by the placing of an approved kerb-set supplied and erected by a qualified stonemason, and/or the cultivation of the area, he/she is at liberty to do so subject to the limitations and procedures detailed in section B.

C2 SOIL FROM OTHER GRAVES

If there are family graves near to or next to this grave we must advise that from an operational point of view when preparing this grave for burial it may be unavoidable that the spoil from this grave is placed on one of these graves.

An additional charge would be incurred should you wish for the spoil to be completely taken away if this can be arranged at the time of the burial.

Unfortunately the placing of the spoil is something which cannot be foretold until the time of burial. Please ask your Funeral Director to discuss the matter with the cemeteries office when booking the funeral.

Please rest assured that the grave and surrounding area where the spoil has been placed will be completely reinstated immediately after the burial.

C3 GRASSED AREAS

Please do not place any items on the grassed area of a grave as this hinders the maintenance of that area. We will remove any such items and place in the relevant cemetery shed for families to collect at an agreed time. The council cannot be held responsible for damage to any such items.

C4 CULTIVATION OF GRAVE SPACES

Anyone wishing to cultivate their grave space is permitted to do so provided it is either surrounded by an approved kerbset supplied and erected by a qualified Stonemason or the cultivated area is not more than 2' 6" wide x 5' 0" long (762mm x 1524mm). In the latter case the Deed owner must take responsibility for the maintenance of the grass edges as well as the planted area itself.

The Council reserves the right to seed the grave if it appears that the family are no longer attending the grave.

If the Deed owner or representatives wish to plant out the grave space please notify the Cemeteries Officer as soon as possible. Alternatively, you may complete the form, which is sent to registered owner/personal representative approximately 6 to 8 weeks after the funeral. A prepaid envelope is provided for your convenience.

However, should the option to plant out be taken but later the grave is required to be grassed over please inform the Cemeteries Officer and instructions will be issued for the grave to be seeded.

During the first six months, the back-filled area of the grave will tend to settle and during this period the cemetery team will top up the soil to maintain its level. For this reason it is not practical to plant out during the first six months and the Council reserves the right to remove and replace any plants to facilitate the topping up operation.

All cultivated areas are to be used for the planting of flowers and miniature shrubs only and the Council reserves the right to remove any trees or oversize shrubs should they deem it necessary. It is inadvisable to place ornaments in the grave area as this may encourage vandalism.

Please do not place plants or remove turf outside the boundaries of the grave or kerbset.

Please note depending on the weather and current workloads graves are usually seeded during late October/November and February/March.

Pre Purchased Graves (Preselect) – The Council mark all pre purchased graves with a 3 x 2 concrete foundation and marker. Please do not place any items on these bases or plots as they will be removed immediately.

C5 NON-COMPLYING ITEMS

For reasons of safety and in order to maintain a dignified environment within the cemeteries the following items are not permitted:

- ❑ glass containers, due to Health & Safety requirements all glass items will be removed from the grave immediately by the cemetery staff
- ❑ memorials of a wooden construction i.e. wooden crosses
- ❑ miniature fencing,
- ❑ Unofficial kerbs made from any material
- ❑ large flower containers,
- ❑ pebbles, stone chipping, gravel or, the like unless placed inside an approved kerb- set,
- ❑ any articles not mentioned in the above list made from wood, plastic, earthenware which are not in keeping with the cemetery.

Should an unauthorised item be placed on a grave, every effort will be made to contact the Deed owner/personal representative and request removal. Should it not be possible to contact the Deed owner, a removal notice will be attached to the item allowing the Deed owner or, relative a suitable amount of time to remove the item concerned.

If after the given period the item is not removed the cemetery staff will be instructed to remove and place in the relevant cemetery shed. The item can be collected from the shed at a prearranged time with the cemeteries officer.

The grave space may be planted out or grassed. Deed owners must ensure that any plants or shrubs placed within the grave space do not exceed more than 18" (305mm) in height.

The concrete marker foundation bases are supplied by the authority free of charge for identification purposes only and must be left unaltered.

SECTION D - GENERAL REGULATIONS

D1 OPENING HOURS

The cemeteries are open for pedestrian access to the public from dawn until dusk all year round. No vehicular access is permitted with the exception of official funeral vehicles, maintenance and emergency vehicles.

Entry to a cemetery outside these hours is an offence, any person entering when a cemetery is closed does so at their own risk and is liable upon conviction to a fine.

D2 MISCONDUCT

Under the provisions of the Local Authorities Cemeteries Order 1977 it is an offence to:

wilfully create a disturbance,
commit any nuisance,
wilfully interfere with any burial,
wilfully interfere with any grave, memorial, flowers or plants
or, play any game or sport in a cemetery.

Any person found committing any of the above is liable upon conviction to a fine.

D3 DOGS

Dogs are not permitted within any of the cemeteries, with the exception that a dog belonging to a person visiting a grave will be allowed provided it is kept on a lead at all times. Contravention of this may result in a fine upon conviction

Any owner of a dog permitted to a cemetery failing to clean up after their dog will be liable to a Fixed Penalty Notice.

D4 CHILDREN

No child under the age of 12 years is allowed in a cemetery unless accompanied by a responsible person.

D5 SCATTERING OF CREMATED REMAINS

Under provisions of the Local Authorities Cemeteries Order 1977 article 10(6) it states no cremated remains must be buried in or over any grave without the consent of the registered owner in writing to the council. Any person contravening this provision is liable on summary conviction to a fine.

Please contact the cemeteries office (Telephone 01827 709343 or email cemeteries@tamworth.gov.uk for further details.

SECTION E - FEES AND CHARGES

Effective from 1st December 2010

Fees and Charges	
Exclusive rights of burial (50 years) Full Grave	£415
Exclusive rights of burial (50 years) Half Grave	£360
Burial of a child (up to 16 inclusive)	Free
Single depth grave digging fees	£300
Double depth grave digging fees	£380
Additional cost for large American style caskets	£50
Burial of ashes	£100
Scattering of ashes (within a grave)	£50
Authority charge for placing a headstone	£100
Authority charge for placing a kerbset	£180
Footstone for existing kerb & border	£50
Authority charge for placing a tablet	£50
Authority charge for placing a vase	£50
Authority charge for placing a flatstone	£180
Authority charge for additional inscriptions	£50
Admin charge pre purchase	£40
Admin charge transfer of ownership	£45
Statutory declaration	£45
Renunciation Charge per additional person	£5
Memorial bench plaque space for 5 years- renewable	£250
Memorial plaque space around memorial tree for 5 yrs - renewable	£250
Search fee per grave	£15
Location fee per grave	£15

If you have any queries please do not hesitate to contact the cemeteries officer on Telephone no. 01827 709343 or email: cemeteries@tamworth.gov.uk

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