

## 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](mailto:cemeteries@tamworth.gov.uk)

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

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## **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](http://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](mailto:cemeteries@tamworth.gov.uk) for further details.

## SECTION E - FEES AND CHARGES

### E1 Fees effective from 1st April 2020 to 31<sup>st</sup> 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](mailto:cemeteries@tamworth.gov.uk)**