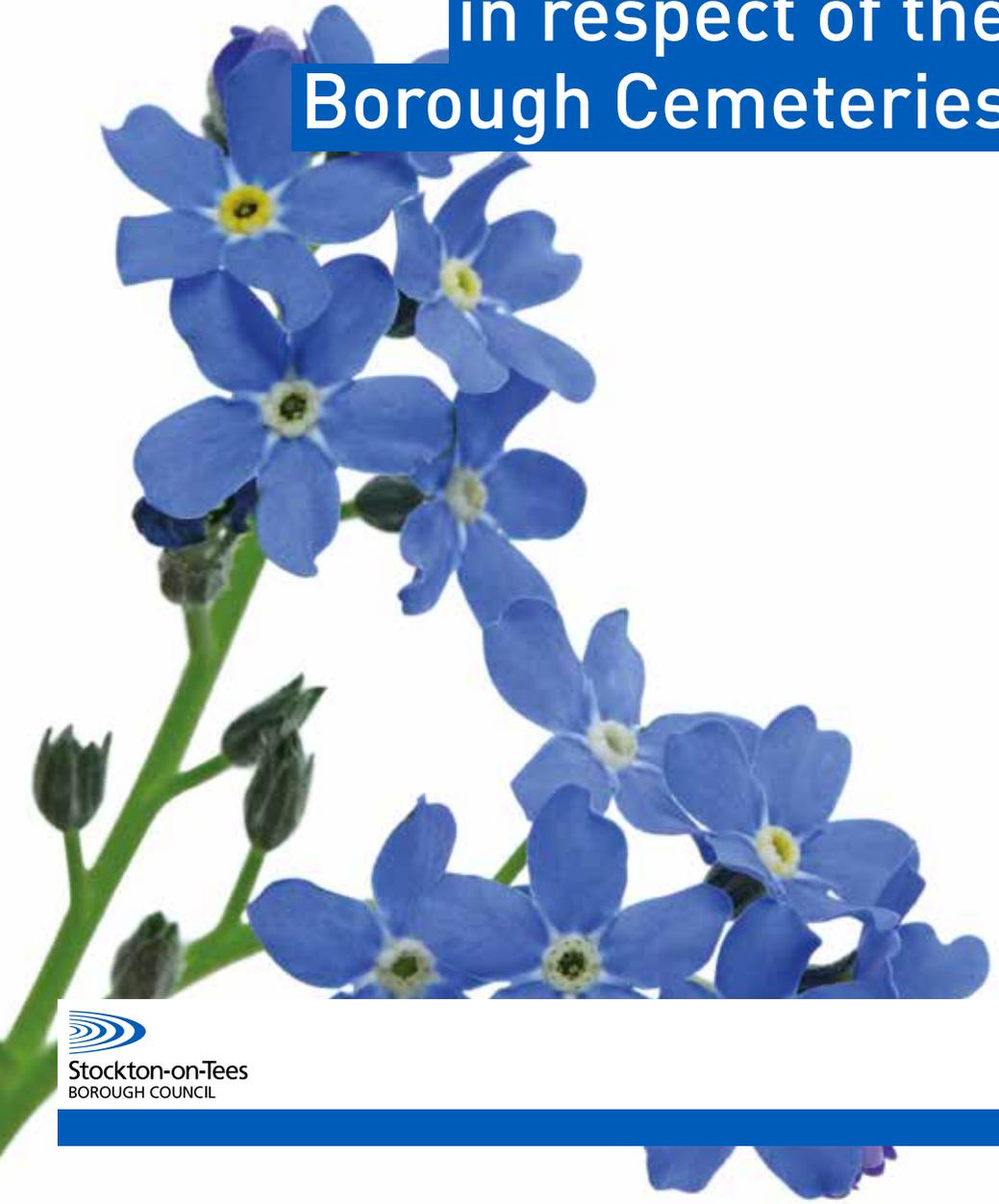


Rules and Regulations in respect of the **Borough Cemeteries**



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Introduction

The Council's authority to impose, implement and enforce these Rules and Regulations is derived from **Article 3 (1)** of the **Local Authorities' Cemeteries Order 1977**, which empowers it to do all such things considered necessary or desirable for the proper management, regulation and control of a cemetery. In preparing these Regulations, the Council has had regard to its duties and obligations under, inter alia, the **Local Government Act 1972**, **the Occupiers' Liability Act 1957** and the **Health and Safety at Work etc. Act 1974**.

Bereavement Services manage the burial service in the five Stockton Borough Cemeteries, as well as offering advice and guidance on a range of issues relating to graves, funerals, memorial maintenance and many other aspects of cemetery operations.

We work closely with other burial authorities in the North East, together with many national organisations, including The Institute of Cemetery and Crematorium Management (ICCM), the British Register of Accredited Memorial Masons (BRAMM) and the National Association of Memorial Masons (NAMM). Consequently, we are able to draw upon a wide range of experience and information to assist in the running of the service and also to answer any queries you might have.

We hope that you find this booklet informative, but if you cannot find the information you are looking for, or would like further explanation, please contact our Bereavement Services Team, whose contact details can be found below.

To enable Bereavement Services to keep our Grave Registers up to date, please contact us if you are a Grantee, and have changed your address.

Contact Information

Bereavement Services (All Enquiries)

Stockton-on-Tees Borough Council
Bereavement Services
Nightingale House
Balaclava Street
Stockton-on-Tees TS18 2AL

Telephone: 01642 527341/42 (Direct Lines)

Main Stockton Borough Council Line: 01642 393939

Email: bereavement.services@stockton.gov.uk

Web: www.stockton.gov.uk/bereavementservices

Cemetery Details

Durham Road Cemetery
Durham Road
Stockton-on-Tees
TS19 0EA
(Opened 1894)
(Extension Opened 2018)

Garden of St Francis
(Babies' Garden – Opened 1996)

Cremated Remains Garden
(Opened 2002)

Oxbridge Lane Cemetery
Oxbridge Lane
Stockton-on-Tees
TS18 4AP
(Opened 1871, old section)
(Extension Opened 1929)
(Closed 2012)

Garden of St Nicholas
(Babies' Garden – Opened 1994)

Cremated Remains Garden
(Opened 2004)

Thornaby Cemetery
Acklam Road
Thornaby
Stockton-on-Tees
TS17 7LD
(Opened 1869)

Garden of St Cuthbert
(Babies' Garden – Opened 1999)

Cremated Remains Garden
(Opened 1999)

Billingham Cemetery
Wolviston Back Lane
Billingham
Stockton-on-Tees
TS23 3LR
(Opened 1969)

Garden of St Hilda
(Babies' Graves – Opened 1995)

Cremated Remains Garden
(Opened 2000)

Eggescliffe Cemetery
Butts Lane
Eggescliffe
Stockton-on-Tees
TS16 9BT
(Opened 1980)
(Closed 2003)

Cremated Remains Garden
(Opened 2011)

1 Opening Times for Visitors

Access to the cemeteries is presently unrestricted, however, the Council has the right to close, limit entry or vary opening times as required.

2 Purchase of Grave Rights

- (1) When a new grave is provided to an individual or family, the Council will simultaneously grant the Exclusive Right of Burial and the Right to Erect and Maintain a Memorial (the “Grave Rights”). The purchaser of these Grave Rights is known as the “Grantee”.
- (2) The Grave Rights entitle the Grantee to use the grave space for burial and memorial placement only. The Grave Rights do not confer upon the Grantee an interest in the land itself, which at all times will remain the absolute property of Stockton-on-Tees Borough Council.
- (3) For the avoidance of doubt, throughout these Rules and Regulations, all references to transactions concerning graves or grave spaces (including, but not limited to, the selection, grant, ownership, purchase or transfer of graves) shall be taken to relate to the Grave Rights only, and not the land comprising the grave.
- (4) The Exclusive Right of Burial and Right to Erect a Memorial can be granted for either 50 or 100 years for a full-size adult grave, and 25 years for graves in the Cremated Remains Gardens and Babies’ Gardens.
- (5) Where a grave has previously been utilised, but not purchased (an “old reservation”) the Exclusive Right of Burial and the Right to Erect and Maintain a Memorial can be granted for 50 years at a reduced fee.
- (6) The allocation and purchase of new grave spaces are controlled by the Cemeteries and Crematorium Unit Manager. The grave provided will normally be the next available space on the section and row being buried in at that time.

- (7) Graves may not be reserved, set aside, or made subject to any other expression of interest for any length of time. Once a grave has been selected, the purchase process must commence immediately, and be concluded without delay, or the grave will be made available to any subsequent interested purchaser.
- (8) Graves may be purchased in advance of a burial taking place. The purchase date will be the date payment is received for the grave.
- (9) Graves may be purchased by single individuals, or jointly with others. Where a grave is jointly owned, the written consent of every Grantee will be required in all matters concerning that grave. For this reason, it is recommended that Grantees are limited to no more than two or three in number. Whilst joint ownership may simplify grave administration after the death of the first Grantee, in cases where there is a large number of Grantees, obtaining all of their necessary consents may complicate and delay matters.
- (10) All Grantees have the right to be buried in the grave, provided that space remains for them.
- (11) A maximum of two graves may be purchased by any one person.
- (12) Full-size graves may not be purchased for the sole purpose of burial of cremated remains. However, when the maximum number of full-sized burials has taken place, cremated remains may be placed in the grave subsequently, if there is sufficient room to do so.
- (13) The Cemeteries and Crematorium Unit Manager will endeavour to assist those wishing to purchase a grave space in a particular section of a cemetery. However, this will be dependent upon the circumstances at that time.
- (14) A grave may not be registered in the name of a funeral director, firm of funeral directors, or a partner, director or employee of such a business organisation. Neither may a grave be registered in the name of a memorial mason.

3 Transfer of the Grave Rights

- (1) Upon the burial of a sole Grantee, a Transfer of the Grave Rights will be required to enable the future use of the grave, and also for any memorial work. Such a Transfer is most commonly made to the immediate next of kin. Bereavement Services will be pleased to advise and assist families in the necessary procedure.
- (2) Where a Statutory Declaration is required to establish ownership of grave rights, it is the responsibility of the person making that Declaration to ensure that the contents are true and accurate. Families are reminded that making a false declaration is a criminal offence.
- (3) If a grave space is required for burial after a sole Grantee has already been buried, a Transfer of Ownership **MUST** be effected before the burial can take place, as per **Article 10(6)** of the **Local Authorities Cemeteries Order 1977**.
- (4) Records maintained by Bereavement Services will show all Transferred Rights, Assigned Rights and the names of all persons subsequently acquiring an interest in the Grave Rights.

4 Regulations Concerning Burials

- (1) All 'Notices of Burial' must be in writing, on the current standard forms supplied by Stockton-on-Tees Bereavement Services, and must be hand-delivered during office working hours. All documents must bear original signatures – photocopies will not be accepted.
- (2) 'Notices of Burial' shall be delivered to Bereavement Services at least two clear working days before the proposed date of burial (excluding Sundays, Public or Bank Holidays). This period will be reduced to 24 hours in cases of infectious diseases, or when other urgent circumstances arise. Failure to give adequate notice may result in the funeral being delayed.
- (3) Funeral directors, or designated funeral organisers, must give notice to the Cemeteries and Crematorium Unit Manager when they consider that the mourners attending a funeral are likely to exceed fifty in number.
- (4) To avoid inconvenience and delay at the graveside, the neat lid size (i.e. the outside dimensions of the coffin or casket) must be supplied to Bereavement Services at the same time as the booking of a funeral.

5 Fees and Charges

- (1) All fees must be paid upon delivery of the 'Notice of Burial', unless other arrangements have been agreed with the Cemeteries and Crematorium Unit Manager. Official receipts will be given for fees paid, if required.
- (2) Copies of the scale of fees may be obtained from the Bereavement Services Office, or by visiting our website:
www.stockton.gov.uk/bereavementservices.

6 Restrictions on Burials

- (1) All burials are subject to statutory provisions in accordance with **Schedule 2, Part 1** of the **Local Authorities' Cemeteries Order 1977**.
- (2) Burials will not take place on Good Friday, Easter Sunday or Christmas Day. Arrangements for burial on Sundays and public holidays can be accommodated in exceptional circumstances, at the discretion of Bereavement Services and Cemeteries and Horticultural Services.
- (3) No body shall be buried, or cremated remains interred or scattered, in any grave in which an Exclusive Right of Burial exists, unless prior approval in writing has been given by the Grantee(s) or where the deceased is a Grantee.
- (4) Where the deceased and Grantee is one and the same person, the 'Notice of Burial' must be completed by the Applicant for the burial.

7 Certificates and Orders Required for Burial

- (1) Before a burial can take place, one of the following documents (as is applicable) must be delivered to the Cemeteries and Crematorium Unit Manager:
 - A Registrar's Certificate for Burial or Cremation;
 - A Coroner's Order for Burial;
 - A Declaration in the form prescribed by the **Births and Deaths Registration Act 1926**, or any amendment or re-enactment thereof.
- (2) A Certificate of Cremation must be produced before the burial or scattering of cremated remains can take place.
- (3) Failure to produce the relevant certificate or order may result in the postponement or cancellation of the funeral.

8 Scattering of Cremated Remains

- (1) The Council has a duty to record in its Registers the details of all persons buried within the Borough Cemeteries.
- (2) Accordingly, the scattering of cremated remains on any grave space, or in any other part of the Borough Cemeteries, is strictly forbidden without the prior authorisation of the Cemeteries and Crematorium Unit Manager.
- (3) Those wishing to arrange a scattering should contact Bereavement Services' staff, who will advise as to the necessary application form and requisite fee.

9 Times of Burial

- (1) Bereavement Services will accept funeral bookings between the following times:

Weekdays between March and October:	9:30 am to 2:45 pm
Weekdays between November and February: (Unless otherwise agreed with Cemeteries and Horticultural Services)	9:30 am to 2:00 pm
Saturday Bookings:	9:30 am to 11:30 pm
- (2) On any given day, there must be an interval of at least 90 minutes between bookings in the same cemetery.
- (3) The same booking time may only be used in two different cemeteries per day.
- (4) It is the responsibility of the funeral director or funeral organiser to ensure that the funeral cortège arrives at the cemetery at the time arranged. Failure to do so may result in the funeral being held at the cemetery gates, or in cases of late arrival, additional fees may be incurred.

10 Postponement or Cancellation of Burial

A cancellation fee may be charged when a burial has been booked, but is subsequently postponed or cancelled. Additional expenses incurred in connection with the preparation of a private grave may also be payable.

11 Opening of Graves

- (1) Without exception, all graves must be excavated by employees of the Council.
- (2) Any open grave is a potential danger (even where shoring has been installed) and should not be entered by anyone other than staff contracted or sub-contracted to Stockton Borough Council. Any unauthorised individual entering a grave does so at their own risk.
- (3) All work in connection with the construction, re-opening and/or re- instatement of vault or walled graves must be undertaken by a BRAMM or NAMM-registered memorial mason, at the expense of the Grantee(s).
- (4) The removal of a memorial and/or kerb set to facilitate a burial is the responsibility of the funeral director or funeral organiser. Such kerb sets are not to be replaced on the grave following burial.

12 Public Health (Control of Disease) Act 1984

Pursuant to the provisions of the **Public Health (Control of Disease) Act 1984**, the body of a person who has died from an infectious or contagious disease must be taken directly to the grave in a sealed coffin.

13 Coffins and Containers

- (1) Bodies must be placed in a suitable container (such as a wooden, cardboard or wicker coffin, casket or shroud) and conveyed to the cemetery in a hearse or other appropriate vehicle.
- (2) The funeral director or funeral organiser responsible for the burial shall provide sufficient bearers to lower the coffin into the grave safely, and will produce to the Council a copy of their risk assessment in relation to this procedure, when required to do so.
- (3) For the burial of cremated remains in any grave, those cremated remains must be contained in a sealed casket.

14 Lowering Service

A prescribed fee will be charged when Cemeteries and Horticultural Services provide cemetery staff to lower the coffin into the grave.

15 Funeral Services

Relatives or friends of the deceased should make their own arrangements with regard to any grave-side service to be held at a funeral.

16 Grave Personalisation

- (1) Whilst the Council recognises the benefits to families in being able to personalise a grave, it must also have regard to the operational and access difficulties often caused by instances of excessive grave personalisation. In order to prevent such difficulties, it is necessary to limit the extent to which a grave may be personalised.
- (2) As soon as practicable after the funeral, the Council will turf or seed the whole grave space. Any floral tributes will be temporarily moved to allow the turfing, and then replaced following completion of this work.
- (3) Each grave has an allowable Personalisation Area, at the head of the grave, below the Memorial Area, into which Grantees may place appropriate personal items or plants. The size of the Personalisation Area will depend upon the type of grave in question:
Lawn Graves: 122cm (4') wide x 53cm (1' 9") deep
Cremated Remains & Babies' Graves: 60cm (2') wide x 23cm (9") deep
- (4) If Grantees would like their Personalisation Area marking out, then they may contact Bereavement Services, who will be pleased to assist.
- (5) The following items may not be placed anywhere on a grave:
 - Kerbs, fences, edging stones or surrounds
 - Gravel or decorative chippings
 - Glass, porcelain, brittle plastics or fragile items
 - Noisy items
 - Balloons
- (6) It is not permitted for memorial masons to fix kerbs, or to sell or supply kerb components to Grantees or their families for self-fixing. Families should not approach masons in this regard.
- (7) The Personalisation Area may be planted with suitable shrubs, plants or flowers, but the planting of large growing trees, conifers and shrubs is not permitted. Plants of this kind may not only obscure memorials, but their roots can weaken the foundations, causing damage to the memorial and also those on neighbouring graves.

- (8) If any items or plants are placed in breach of this Regulation, then Bereavement Services will contact the Grantee(s) when:
- The items prevent or restrict access for grave-digging or funeral attendance
 - The items encroach upon, or adversely affect a neighbouring grave
 - A complaint has been received about the items
- (9) Where the need to access a grave is urgent (for example, because of a forthcoming funeral) Bereavement Services will contact the Grantee(s) by telephone, when possible, to request the removal of the items as soon as possible.
- (10) Where the situation is not urgent, then Bereavement Services will write to the Grantee(s) and request that they attend on-site to discuss matters with a member of staff, in order to reach agreement upon a reduction of personalisation to a level which does not cause difficulties.
- (11) The Council is not responsible for monitoring whom may be permitted to leave a tribute in any given Personalisation Area, or on any other part of a grave.
- (12) To be able to contact Grantee(s), it is very important that Bereavement Services are informed of any changes of address.
- (13) Please refer to the Council's leaflet, 'Personalising a Grave Space' for further detail.

17 Floral Tributes

- (1) As soon as practicable after the funeral, the Council will turf or seed the whole of the grave space. Any floral tributes will be temporarily moved to allow turfing, and then replaced following completion of the work.
- (2) Where floral tributes are left immediately after a funeral, and placed outside the allowable Personalisation Area, they will be left on the grave until spent, and then removed.
- (3) Thereafter, only the Personalisation Area should be used for flowers. Vases and flower holders made from glass, porcelain or fragile materials are not permitted.
- (4) The Council recognises that on significant dates such as anniversaries and religious festivals, floral tributes may need to be placed outside the Personalisation Area, and will exercise a degree of consideration and flexibility on such occasions.

18 Management of Memorials

- (1) A memorial may only be placed upon a grave for which the Exclusive Right of Burial and the Right to Erect and Maintain a Memorial have been purchased.
- (2) The Right to Erect and Maintain a Memorial will be granted for a period of 30 years. This period will run in conjunction with the Certificate of Compliance issued by the mason to guarantee the stability of the memorial over that 30 year period.
- (3) The Grant of this Right will commence from the date a new memorial is installed.
- (4) Upon expiry of this 30 year period, the Grantee has the option to renew the Right for further consecutive periods of 5 years, provided that the memorial continues to meet the required safety standards.
- (5) **The Grantee is responsible for the ongoing maintenance and safety of the memorial, together with any associated costs incurred.**
- (6) Following inspection, if the memorial is found to be in an unsafe condition, it may be made safe by the Cemeteries Superintendent and/or the Asset Management Team, as a precaution to public safety. A charge for this safety measure will be directed to the Grantee for payment.
- (7) Grantees may, therefore, wish to consider taking out appropriate insurance to cover this eventuality, as Stockton Borough Council will not assume financial liability for such action. However, where safety measures have been taken as a result of defective workmanship, and a Certificate of Compliance is in force, the Grantee will have their own personal right of redress against the mason concerned.
- (8) Where the sole Grantee is deceased, legal entitlement to exercise the Rights to the grave must be established, and a full legal transfer of these Rights completed, before any application for memorial works can be approved by the Council. In this instance, families should contact Bereavement Services, who will be pleased to arrange a Transfer of the Rights. Contact details can be found on page 5.

- (9) The installation of vaults, walled graves, flat stones and kerbstones is not permitted in the cemeteries. Permission will not be given for any existing kerbstones to be refitted onto concrete frame foundations. Similarly, when pre-existing kerbs are removed to facilitate a burial, they may not be replaced.

19 Memorial Masons

- (1) All memorial masons wishing to carry out installation works within the Borough must:
- Be either registered with the British Register of Accredited Memorial Masons (BRAMM) or have membership of the National Association of Memorial Masons (NAMM)
 - Possess a Fixer's Licence.
 - Hold an appropriate level of Public Liability Insurance.
- (2) Memorial masons will be issued with a copy of the Council's Procedures, Guidance and Compliance document and must return an original signed copy to Bereavement Services to indicate their understanding of procedures and their intention to follow them.
- (3) Stockton Borough Council maintains a register of memorial mason businesses which meet these requirements and which are therefore authorised to work in the Borough's cemeteries.
- (4) No memorial may be erected, repaired, removed, altered or cleaned without a "Permit to Work" having been issued.
- (5) Memorial Applications must be fully completed by masons, and approved by the Cemeteries and Crematorium Unit Manager. All such Applications must bear the original signatures of the Grantee(s) and the mason – photocopies will not be accepted. Once the Application is approved, a Permit to Work will only be issued upon receipt of the requisite fee.
- (6) In order to ensure public safety, memorial masons must install all memorials in strict compliance with British Standard 8415. To achieve such compliance, masons must employ the fixing methods prescribed by the NAMM Code of Working Practice and / or the BRAMM Blue Book.

- (7) Throughout the memorial process, masons must, in all respects, adhere fully to the provisions of the Council's "Procedures, Guidance and Compliance" document.
- (8) Masons will be liable for any damage caused by their work in the cemeteries. Any damage should be made good, to the satisfaction of the Cemeteries Superintendent and the Grantee(s) concerned.
- (9) Masons **must** issue a "Certificate of Compliance" to the Grantee(s) for all installations of new memorials and reinstallations of old memorials, guaranteeing stability for a 30 year period. The Certificate of Compliance provides the Grantee with additional protection over and above the 6 year protection afforded by ordinary product liability law.
- (10) It is not permitted for masons to fit kerbs on graves within the Borough Cemeteries, or to sell or supply kerb components to Grantees or their families, for them to personally install therein. Such actions will be classed as gross misconduct, and masons found to have acted in this manner will be subject to disciplinary action.
- (11) Masons who fail to comply with the Council's Cemetery Rules and Regulations, or the Procedures, Guidance and Compliance document, will be subject to disciplinary action by the Council, in addition to any further disciplinary procedures instigated by their own professional bodies.

20 Inspection of Memorials

- (1) The Council's Cemeteries Superintendent will inspect all memorials within the Borough Cemeteries at the point of installation or re-fixing. The inspection will ascertain whether the memorial corresponds with the details set out in the mason's written Application, and whether compliance with BS 8415 has been achieved, both in relation to the components used, and in the fixing methods employed. Where a memorial does not meet all of these requirements, the mason will be required to take such corrective action as may be necessary to achieve compliance.

- (2) In addition, all newly- fixed or re-fixed memorials will be inspected for stability, 28 days after installation. When a memorial fails a stability test, the mason will be required to take immediate and appropriate corrective action. Should the memorial fail a second stability test 28 days thereafter, the Council will take disciplinary action against the mason.
- (3) In order to ensure public safety, all memorials in the Borough Cemeteries will be inspected by the Asset Management Team on a 5-year cycle, pursuant to the Council's Management of Memorials Policy. The inspection will be fully documented, identifying all dangerous or unstable memorials.
- (4) Where a memorial is identified as posing a danger, the level of risk will be assessed. Should a memorial require attention, then in most cases, the Grantee(s) will be notified by post in the first instance, advised of the situation and invited to rectify matters. Depending upon the level of risk, the Council may take interim measures to ensure the safety of the memorial, and also cemetery visitors. Such measures may include cordoning and/or temporary supports. If no response is received from the Grantee within 3 months, then the Council will take whatever action is required to make the memorial permanently safe, which is likely to result in the memorial being laid flat.
- (5) Should a memorial pose an immediate danger, then the Council will take whatever urgent action may be necessary to make it safe, and notify the Grantee as soon as is practicable thereafter.
- (6) In view of the above, Grantees should notify Bereavement Services of any change of address, so that they may be contacted in the future, if necessary.

21 Dimensions and Construction of Memorials

Headstones on Lawn Graves

- (1) It is recommended that a grave is left to settle for approximately six months before placing a memorial. However, where there is a pre-existing concrete plinth (or “memorial beam”), a memorial can be safely placed soon after the burial.
- (2) Only one headstone will be allowed on any one grave space.
- (3) The following restrictions as to size apply:
 - Maximum overall height of 90cm (3ft) which includes the depth of the base
 - Maximum width of 90cm (3ft)
 - Maximum thickness of 12.5cm (5ins)
 - Minimum thickness of 7.5cm (3ins)
- (4) The base shall be securely fixed to the memorial beam where provided, or to a suitable foundation stone measuring:
 - A maximum width of 90cm (3ft)
 - A maximum depth (front to back) of 37.5cm (15ins)
 - A minimum thickness of 5cm (2ins)
- (5) At the discretion of the Cemeteries and Crematorium Unit Manager, the full width of the grave (122cm (4ft)) may be used to include vase memorial(s) where additional inscriptions cannot be included on the headstone.
- (6) All headstones must be fixed so as to comply with the specifications of BS 8415, using the methods prescribed in the current NAMM Code of Working Practice and / or the BRAMM Blue Book. In particular, all headstones exceeding 62.5 cm (2ft 0.6ins) in height must be fixed using a suitable ground anchor, unless they are to be placed on a memorial beam.

(7) Where a foundation stone is fixed to a memorial beam and the overall memorial height is in breach of the 90cm (3ft) height regulation, the mason will be required to remove the foundation stone at their own cost, and inform the Grantee.

Vases

(8) Vases must not exceed:

- 30cm (12ins) in height
- 30cm (12ins) in width
- 15cm (6ins) in depth

(9) Vases shall be secured centrally to either a memorial beam (where available) or to a suitable foundation stone provided by the memorial mason.

(10) Where a foundation stone is fixed to a memorial beam and the overall memorial height is in breach of the 30cm (12ins) height regulation, the mason will be requested to remove the foundation stone at their own cost, and inform the Grantee.

Desk-Top Tablets and Memorial Flat Plaques

(11) Desk-top tablet memorials must not exceed:

- 37.5cm (15ins) in depth (front to back)
- 61cm (24ins) in width
- 10cm (4ins) maximum thickness, tapering to 5cm (2ins)

(12) At the discretion of the Cemeteries and Crematorium Unit Manager, a maximum of two desk-top tablet memorials may be placed, side by side, at the head of any one lawn or traditional grave space.

(13) Flat plaque memorials must not exceed:

- 30cm (12ins) in depth
- 30cm (12ins) in width
- 5cm (2in) in thickness

(14) At the discretion of the Cemeteries and Crematorium Unit Manager, a maximum of four flat plaque memorials may be placed, side by side, at the head of any one lawn or traditional grave space.

Cremated Remains Garden Memorials

(15) The following restrictions apply:

- Maximum vase height of 25cm (10ins)
- Maximum width of 30cm (12ins)
- Maximum depth (front to back) of 15cm (6ins)

Base dimensions not to exceed:

- Width of 35cm (14ins)
- Depth (front to back) of 20cm (8ins)
- Thickness of 5cm (2ins)

(16) Alternatively, a small headstone, not exceeding the above dimensions, may be placed.

(17) Only one memorial vase or headstone will be allowed on any one grave space.

(18) The base shall be secured centrally on the memorial beam provided by the Council. The maximum height of the vase and base must not exceed 30cm (12ins).

(19) Where a foundation stone is fixed to a memorial beam and the overall memorial height is in breach of the 30cm (12ins) height regulation, the mason will be requested to remove the foundation stone at their own cost, and inform the Grantee.

Babies' Burial Garden Memorials

(20) The following restrictions apply:

- Maximum height of 15cm (6ins)
- Maximum width of 45cm (1ft 6ins)
- Maximum thickness (front to back) of 20cm (8ins)
- Minimum thickness of 7.5cm (3ins)

- (21) Alternatively, a memorial of the same dimensions allowed in the Cremated Remains Garden is permitted upon graves within the Babies' Burial Gardens, but must not breach the 30cm (12ins) height regulation.
- (22) Only one memorial stone is permitted on any one grave space.
- (23) The memorial shall be secured centrally to the memorial beam where provided, or to a suitable foundation stone supplied by the memorial mason.
- (24) Where a foundation stone is fixed to a memorial beam and the overall memorial height is in breach of the 15cm (6ins) height restriction, the mason will be requested to remove the foundation stone at their own cost and inform the Grantee.

22 Dedicated Benches

- (1) Dedicated benches may only be placed in the Borough Cemeteries with the prior approval of the Council. Anyone wishing to place such a bench must first submit an appropriate request form to the Council's "Care For Your Area" service, and pay the requisite fee. Request forms are available on the Stockton-on-Tees Borough Council website.
- (2) The granting of such a request is entirely at the discretion of the Council.
- (3) The Council will determine the style of bench to be provided, and the location in which the bench is to be placed.
- (4) Dedicated benches will remain the sole property of the Council, and are placed for the use of all cemetery visitors.
- (5) Personalisation of benches is not permitted. Floral tributes and/or personal items may not be placed upon a bench, or in its vicinity. If such items are found, they will become subject to the procedure set out at Regulation 28 (43 - 46) herein.
- (6) The Council will undertake responsibility for maintenance of benches, to include keeping the bench clean and fit for purpose, the removal of graffiti and repair of minor faults.
- (7) Benches have an expected life period of approximately 20 years, and will be removed once their condition has deteriorated beyond practical or economic repair.
- (8) Where there is no space for a new bench, it may be permissible to place a dedication plaque on an existing bench or shared communal dedication bench, provided such bench is in good condition. A fee, to be determined, will be payable in such instances.
- (10) Further details (including available bench types and fees) are set out in the "Request for a Dedicated Bench" application form.

23 Dedicated Trees

- (1) Dedicated trees may only be placed in the Borough Cemeteries with the prior approval of the Council. Anyone wishing to place such a tree must first submit an appropriate request form to the Council's "Care For Your Area" service, and pay the requisite fee. Request forms are available on the Stockton-on-Tees Borough Council website.
- (2) The granting of such a request is entirely at the discretion of the Council.
- (3) The Council will determine the species of tree to be provided and the location in which the tree is to be placed.
- (4) Dedicated trees will remain the sole property of the Council, and are placed for the enjoyment of all cemetery visitors.
- (5) Personalisation of trees is not permitted. Floral tributes and/or personal items may not be placed upon a tree or in its vicinity. If such items are found, they will become subject to the procedure set out at **Regulation 28 (43 - 46)** herein.
- (6) The Council will undertake responsibility for the staking and protection of the tree until it is well-established, and also its general care and maintenance thereafter.
- (7) Should a tree die prematurely within its initial 3-year establishment period, then it will be replaced in the next planting season.
- (8) In the event that it becomes necessary to remove a tree because:
 - it is dead, dying or diseased;
 - it poses a danger to the public;
 - the area is designated for redevelopment;
 - of any other unforeseen eventuality;a replacement tree will be provided in a new location and, where possible, within a reasonable distance of the original siting.

- (9) If requested, the Council will arrange placement of a plaque next to the dedicated tree, but to avoid damage to the tree, this must be installed either at the time of planting or shortly thereafter.
- (10) Further details (including available trees and fees) are set out in the “Request for a Dedicated Tree” application form.

24 Regulations Concerning Lawn and Traditional Sections

- (1) The area allocated to a grave space is approximately 122cm (4ft) wide x 274cm (9ft) long.
- (2) The allocation of a newly purchased grave space will normally be the next available grave on the section and row being buried in at that time.
- (3) Adult grave spaces may not be purchased for the sole purpose of burial of cremated remains. However, when the maximum number of full-sized burials has taken place, cremated remains may be placed in the grave subsequently, if there is sufficient room to do so.
- (4) Graves are generally excavated for two adult burials, however excavation for three may be approved, at additional cost, where safe and practicable.
- (5) Should the unfortunate need arise, a baby or infant may be buried in a grave before any adult burials.
- (6) As soon as possible following the funeral, the Council will turf or seed the whole of the grave.
- (7) A small area, approximately 53cm (1ft 9ins) x 122cm (4ft), can be prepared by the Council at the head of the lawn area for suitable planting or personalisation. Please refer to leaflet ‘Personalising a Grave Space’ for more details.

25 Regulations Concerning Muslim Sections

- (1) At present, the Council provides one dedicated Muslim Section, located at Thornaby Cemetery. The Regulations for the management of Lawn Sections shall also apply to Muslim Sections, with the following additional provisions:
- (2) Graves will be oriented to face Mecca.
- (3) Without exception, all graves must be excavated by employees of the Council.
- (4) Any open grave is a potential danger, even where shoring has been installed, and should not be entered by anyone other than staff contracted or sub-contracted to Stockton Borough Council. Any unauthorised individual entering a grave does so at their own risk.
- (4) Where a coffin is not used, the deceased must be conveyed to the cemetery in a closed van or other suitable vehicle, and carried discreetly to the graveside in a shroud and kept from public view during the burial service.
- (5) Pursuant to the provisions of the **Public Health (Control of Disease) Act 1984**, where the deceased has died from a notifiable disease, the body must be taken directly to the grave in a sealed coffin.
- (6) Graves may be mounded to a maximum height of 15cm (6ins) above normal ground level after settlement has occurred.

Arranging a Funeral in a Muslim Section

- (7) The usual notice period for a burial is 24 hours, unless arrangements can reasonably be made in less than 24 hours. In this case, Bereavement Services must receive a completed Notice of Burial, appropriate certificates for burial and the applicable fee by no later than 11.00 am on the morning of the proposed burial date, if the burial is to take place that afternoon.

26 Regulations Concerning Cremated Remains Gardens

- (1) The area allocated to a grave within the Garden is approximately 60cm (2ft) x 120cm (4ft) including a 30cm (12ins) memorial beam.
- (2) The allocation of a newly purchased grave space will normally be the next available grave on the section and row being buried in at that time.
- (3) A grave in a Cremated Remains Garden may not contain more than two burials of cremated remains.
- (4) It is the responsibility of the funeral director or funeral organiser to bring the cremated remains to the cemetery.
- (5) Cremated remains must be buried in a suitable container.
- (6) As soon as possible following the funeral, the Council will replace the turf over the whole of the grave space.
- (7) A small area at the head of the lawn area, approximately 23cm (9in) x 60cm (2ft), can be prepared by the Council for suitable planting or personalisation. Please refer to the Council's leaflet, 'Personalising a Grave Space' for more details.

27 Regulations Concerning Babies' Burial Gardens

- (1) An area in each cemetery (excluding Eggescliffe Cemetery) has been dedicated to a Babies' Burial Garden for the burial of stillborn, neonatal, and babies up to the age of one month.
- (2) The area allocated to a grave within the Babies' Burial Garden is approximately 60cm (2ft) x 120cm (4ft) including a 30cm (12ins) section of the memorial beam.
- (3) The allocation of a newly-purchased grave space will normally be the next available grave on the section and row being buried in at that time.
- (4) A grave in a Babies' Burial Garden may not contain more than one burial.
- (5) As soon as possible following the funeral, the Council will replace the turf over the whole of the grave space.
- (6) A small area at the head of the lawn area, approximately 23cm (9in) x 60cm (2ft), can be prepared by the Council for suitable planting or personalisation. Please refer to the Council's leaflet, 'Personalising a Grave Space' for more details.

28 Regulations Concerning the Extension to Durham Road

- (1) The Durham Road Cemetery Extension features unique grave types, which are unavailable in the pre-existing sections of the Borough Cemeteries. Each of the six sections in the Extension contains graves of a particular type. Full details of all the grave options are set out in the leaflet, "Durham Road Cemetery (Extension) Grave Options".
- (2) It is anticipated that these grave types will be incorporated in future extensions to existing cemeteries, and also in any new cemeteries opened by the Council within the Borough. The following regulations will therefore apply, where relevant, to such new cemetery developments. These grave options are summarised as follows:

Pure Lawn Graves

- (3) The area allocated to a Pure Lawn Grave is approximately 152cm (5ft) wide x 305cm (10ft) long, including a concrete memorial beam, approximately 53cm (21") wide.
- (4) Graves are set out in single rows.
- (5) The allocation of a newly purchased grave space will normally be the next available grave on the section and row being buried in at that time.
- (6) Pure Lawn Graves may not be purchased for the sole purpose of burial of cremated remains. However, when the maximum number of full-sized burials has taken place, cremated remains may be placed in the grave subsequently, if there is sufficient room to do so.
- (7) Pure Lawn Graves are generally excavated for two adult burials, however, excavation for three may be approved, where safe and practicable.
- (8) Should the unfortunate need arise, a baby or infant may be buried in a Pure Lawn Grave before any adult burials.
- (9) As soon as possible following the funeral, the Council will turf or seed the whole of the grave.

(10) Unlike lawn sections in other parts of the Borough Cemeteries, Pure Lawn Graves in the Durham Road Extension do not feature a Personalisation Area at the head of the grave. The placement of personal items on any part of the grave (other than a few small items on the concrete heading) is not permitted. Similarly, the planting of trees, shrubs, plants or flowers is forbidden. The lawn area across the whole grave space must therefore remain entirely clear, and free of all obstruction.

Lawn Graves with a Short Personalisation Collar

- (11) The area allocated to a Lawn Grave with a Short Personalisation Collar is approximately 152cm (5ft) wide x 305cm (10ft) long.
- (12) Graves are set out in single rows.
- (13) The allocation of a newly purchased grave space will normally be the next available grave on the section and row being buried in at that time.
- (14) Lawn Graves with a Short Personalisation Area may not be purchased for the sole purpose of burial of cremated remains. However, when the maximum number of full-sized burials has taken place, cremated remains may be placed in the grave subsequently, if there is sufficient room to do so.
- (15) Graves are generally excavated for two adult burials, however, excavation for three may be approved, where safe and practicable.
- (16) Should the unfortunate need arise, a baby or infant may be buried in a Lawn Grave with a Short Personalisation Area before any adult burials.
- (17) The grave is pre-fitted with a Short Personalisation Collar, constructed of robust, low-maintenance, recycled material, and measuring approximately 152cm (5ft) wide by 91.5cm (3ft) deep. The Collar is placed at the head of the grave and is supplied with a ground membrane, topped with a quantity of white chippings. The Personalisation Area within the collar may then be used to accommodate a headstone and other personal items, if desired.
- (18) As soon as possible following the funeral, the Council will turf or seed the remainder of the grave space.

Lawn Graves with a Full Personalisation Collar

- (19) The area allocated to a Lawn Grave with a Full Personalisation Collar is approximately 152cm (5ft) wide x 305cm (10ft) long.
- (20) Graves are set out in double rows.
- (21) The allocation of a newly- purchased grave space will normally be the next available grave on the section and row being buried in at that time.
- (22) Lawn Graves with a Full Personalisation Collar may not be purchased for the sole purpose of burial of cremated remains. However, when the maximum number of full-sized burials has taken place, cremated remains may be placed in the grave subsequently, if there is sufficient room to do so.
- (23) Graves are generally excavated for two adult burials, however, excavation for three may be approved, where safe and practicable.
- (24) Should the unfortunate need arise, a baby or infant may be buried in a Lawn Grave with a Full Personalisation Collar before any adult burials.
- (25) The grave is pre-fitted with a Full Personalisation Collar, constructed of robust, low-maintenance, recycled material, and measuring approximately 152cm (5ft) wide by 200cm (6ft 7ins) deep. The Collar is placed across the grave space, and is supplied with a reinforcement system comprising tubular steel supports, a steel grid and heavy duty plastic board, and topped with a quantity of white chippings. The Personalisation Area within the Collar may then be used to accommodate a headstone and other personal items, if desired.
- (26) As soon as possible following the funeral, the Council will turf or seed the remainder of the grave space.

Cremated Remains and Babies' Graves

- (27) A single row of each section in the Extension to Durham Road Cemetery is given over to either Cremated Remains or Babies' graves.
- (28) The area allocated to such graves is approximately 100cm (3ft 3ins) wide x 120cm (4ft) long.

- (29) The allocation of a newly- purchased grave space will normally be the next available grave on the section and row being buried in at that time.
- (30) A cremated remains grave may not contain more than two burials of cremated remains.
- (31) It is the responsibility of the funeral director or funeral organiser to bring the cremated remains to the cemetery.
- (32) Cremated remains must be buried in a suitable container.
- (33) A baby's grave may not contain more than one burial.
- (34) The grave is pre-fitted with a Personalisation Collar, constructed of robust, low-maintenance, recycled material, and measuring approximately 100cm (3ft 3ins) square. The Collar is placed at the head of the grave and is supplied with a ground membrane, and topped with a quantity of white chippings. The Personalisation Area within the Collar may then be used to accommodate a vase or headstone, and other personal items, if desired.
- (35) As soon as possible following the funeral, the Council will replace the turf over the remaining grave space.

Personalisation Collars

- (36) The following additional provisions apply to graves fitted with Personalisation Collars.
- (37) Personalisation Collars are not to be removed, repositioned, shortened, extended, dismantled or replaced or augmented with any other form of grave surround, kerb or edging. Should a Grantee have any issue with their Personalisation Collar, they should contact Bereavement Services.
- (38) If desired, the polar white chippings supplied with the Personalisation Collar may be replaced with chippings of a different colour, at the Grantee's own expense.
- (39) Although a wide variety of personal items may be placed within the Personalisation Collar, the following articles are not permitted:
- Glass, porcelain, brittle plastics and other fragile items
 - Balloons
 - Noisy items

- (40) No planting is allowed within the Personalisation Collar. All flowers, plants and small shrubs should be in vases or containers, and placed within the area of the Personalisation Collar.
- (41) The placement of personal items on any part of the grave outside the Personalisation Collar is not permitted. Similarly, the planting of any trees, shrubs, plants or flowers on the lawn area is forbidden. The lawn area across the remaining grave space must remain entirely clear, and free of all obstruction.

Benches and Trees in the Durham Road Extension

- (42) Regulations 23 and 24 apply equally to benches and trees in the Durham Road Extension. Personalisation of benches and trees is not permitted. Floral tributes and/or personal items may not be placed upon a bench or tree, or in its vicinity. If such items are found, they will become subject to the procedure set out at **Regulation 28 (43 - 46)** below.

Enforcement of Regulations as to Grave Personalisation in the Durham Road Extension

- (43) The grave options available in the Durham Road Cemetery Extension are not interchangeable, and it is not possible to apply the personalisation characteristics of one grave type against another. For this reason, it is imperative that individuals and families are fully aware of the level of personalisation that is permissible on their chosen grave. Families are again referred to our leaflet, "Durham Road Cemetery (Extension) Grave Options" for full details. The staff of Bereavement Services will be pleased to assist families in making the most appropriate choice.
- (44) The Cemeteries Superintendent is authorised to rectify or remove anything which does not comply with these Regulations. If any personal items or plants are placed in breach of these regulations, then the following enforcement procedure will be implemented.
- (45) Where a small number of items are found to be outside the Personalisation Collar, the Cemeteries Superintendent will carefully move those items back into the approved area, and inform the Grantee(s) of this action by letter.

(46) Where there are a large number of items that cannot all be moved into the Personalisation Collar, the Cemeteries Superintendent will contact the Grantee(s) by letter, and:

- Request the removal of the items within 14 days;
- Advise that failure to do so will result in the items being stored, on-site, for 3 months;
- Notify that arrangements for collection of the items can be made within the 3-month period, by contacting Bereavement Services (contact details on page)
- Confirm that, in the absence of any communication, all such items will be disposed of at the end of the 3-month period.

(47) The Council is not responsible for monitoring who may be permitted to leave a tribute in any given Personalisation Collar, or on any other part of a grave.

(48) To be able to contact Grantees, it is very important that Bereavement Services are informed of any changes of address.

29 Regulations Concerning Public Graves

(1) A public grave is an unpurchased grave where no Exclusive Right of Burial exists. There is usually no family connection between those buried in a grave of this type.

(2) No memorial rights are granted in respect of public graves, and accordingly no headstone or memorial may be placed upon them.

30 Management of Cemeteries

The Borough Cemeteries are managed under the terms of the Local **Authorities' Cemeteries Order 1977**, which forms part of these Regulations. Attention is drawn, in particular, to the following Articles of the 1977 Order:

Offences in Cemeteries

Article 18(1)

No person shall:

- Wilfully create any disturbance in the cemetery. Contravention of this Article will result in the penalty set out at **Article 19**
- Commit any nuisance. Contravention of this Article will result in the penalty set out at **Article 19**
- Interfere with any burial taking place in a cemetery
- Interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants on any such matter
- Play any game or sport within a cemetery

Article 18(2)

No unauthorised person shall enter or remain in a cemetery at any time when it is closed to the public.

Penalties

Article 19

Any person who contravenes

- Any Prohibition under Article 5(6) (Cremated Remains)
- Article 10(6)
- Article 18(1) and/or Article 18(2); or
- Part 1 of Schedule 2 (Exercise of Burial Rights)

shall be liable on summary conviction to a fine not exceeding £100 and in the case of a continuing offence, to a fine not exceeding £10 for each day during which the offence continues after conviction.

31 Control

- (1) Subject to these Regulations, or any changes made by the Council thereto, the general management and control of the Borough Cemeteries shall be exercised by the Cemeteries and Crematorium Unit Manager.
- (2) These Regulations apply to any person entering the Borough Cemeteries, every purchaser of the Exclusive Right of Burial and the Right to Erect a memorial in any grave space, and any person who may acquire such Rights by assignment or transfer.
- (3) All enquiries with regard to any of the Borough Cemeteries should be made to Bereavement Services, whose address and telephone numbers appear on page 5 of this booklet. Any comments or complaints should be made, in the first instance, to the Cemeteries and Crematorium Unit Manager. Alternatively, the leaflet, 'Have Your Say, Commendations, Comments and Complaints' may be used, a copy of which can be obtained from Nightingale House or Municipal Buildings. This form can also be completed online at:
www.stockton.gov.uk/stockton-council/customer-services/

32 Unauthorised Gatherings

Gathering in the Borough Cemeteries shall be only for the purposes of remembrance or a funeral service.

33 Alcohol and Substance Misuse

The consumption of alcohol and / or use of illicit substances is not permitted within the Borough Cemeteries.

34 Vehicles

- (1) Cars are only permitted within the Borough Cemeteries on approved roads, where the speed limit is 5mph.
- (2) Unauthorised vehicles are not allowed on any grassed area of the Borough Cemeteries, or on pedestrian walkways.
- (3) Cycling is not allowed within the Borough Cemeteries.

35 Animals

- (1) No animals are allowed in the Borough Cemeteries, apart from guide dogs, or horses forming part of a funeral cortège.
- (2) The walking or exercising of dogs in the Borough Cemeteries is strictly forbidden.

36 Music

Music is not to be played in the Borough Cemeteries without prior permission from the Cemeteries and Crematorium Unit Manager.

37 Rubbish

Spent flowers and other rubbish must be put in the bins provided for this purpose.

38 Firearms and Banners

Firearms shall not be discharged, nor banners displayed within the Borough Cemeteries without the prior written consent of the Cemeteries and Crematorium Unit Manager.

39 Photography and Filming

Filming, video recording and photography is allowed for personal use only. In all other instances, written permission should be sought from the Stockton-on-Tees Borough Council Communications, Consultations and Engagement Team (communications@stockton.gov.uk)

40 Promotion of Services or Goods

Unless with the prior written agreement of the Council, it is prohibited in any cemetery grounds to:

- Sell goods, services, plants or articles.
- Promote services in connection with memorials or graves by the distribution of business cards or literature.
- Approach bereaved families in connection with obtaining a contract for work(s) to do with memorials or any matter in connection with a grave.

41 Council Employees

- (1) Council employees, or sub-contracted employees carrying out works on the Council's behalf, are not allowed to undertake any private work within working hours, when employed by the Council.
- (2) Council employees or sub-contracted employees should not be offered, and cannot accept, any tips or gratuities.

42 Disclaimers and Responsibility for Loss or Damage

- (1) The Council accepts no liability for any fatal or personal injuries sustained by anyone entering a Council Cemetery (in the absence of negligence by the Council, its employees or sub-contracted employees).
- (2) The Council accepts no liability (so far as is reasonable) for any loss or damage occasioned by any person entering a Council Cemetery.
- (3) The Council will not accept any liability in respect of accident or damage to memorials. It is the responsibility of the owner(s) of any memorial to keep it in good condition and repair. Broken, damaged or unsafe memorials will be made safe by the Cemeteries Superintendent and / or the Asset Management Team, as precaution to public safety.
- (4) The Council has the right, when necessary, to gain access across any grave and may remove or lay flat any memorial without notice or compensation to the owner.
- (5) The Council shall not be responsible or accept any liability for orders or documents sent by post. Neither will the Council accept responsibility for errors following telephoned instructions, which should always be confirmed in writing, when requested.

43 Amendments

Stockton Borough Council reserves the right to change or amend these Rules and Regulations, if and when required.

If you would like this information in any other language or format for example **large print** or audio please contact
'Bereavement Services' 01642 527341/42.

إذا كنت ترغب الحصول على هذه المعلومات بلغات أو بأشكال أخرى على سبيل المثال
بالطبعة الكبيرة أو بالشريط المسجل فالرجاء الإتصال 'بدايفرستي تيم'
'Bereavement Services' على هاتف رقم 01642 527341/42

ARABIC

اگر شما این اطلاعات را به زبان یا شکل دیگری مثلا چاپ بزرگ یا بصورت صدا
میخواهید لطفا با تیم دایورسیتی (گونگونگی) 01642 527341/42 با شماره 'Bereavement
Services' به تماس شوید
FARSI

Si vous souhaitez obtenir ces informations dans d'autres langues ou sous un
autre format, par exemple, en gros caractères / version audio, veuillez
contacter l'équipe 'Bereavement
Services' au n° 01642 527341/42

FRENCH

نه گهر جهزت لئ به نهم زانباريه به دهستت بکه ویت به زمانه کانی تر یان به شیوهیه کی تر بؤ نمونه
چاپی گه وره/یان به تیبی تو مارکراو تکایه به یوه نندی بکه به 'تیمی دایفرستی'
'Bereavement Services' له سه زماره کی ته له فون 01642 527341/42

KURDISH

欲要這份資訊的其它語言版或其它版式例如大字體印刷/錄音帶，請
致電 'Bereavement
Services' 接洽 '多元化隊' 01642 527341/42

CHINESE

ਜੇ ਤੁਸੀਂ ਇਹ ਜਾਣਕਾਰੀ ਕਿਸੇ ਹੋਰ ਬਣਤਰ ਜਾਂ ਬੋਲੀ ਵਿੱਚ, ਵੱਡੀ ਛਪਾਈ ਵਿੱਚ ਜਾਂ ਟੇਪ/ਸੀ ਡੀ 'ਤੇ
ਚਾਹੁੰਦੇ ਹੋ ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ 'Bereavement
Services' ਨੂੰ 01642 527341/42 ਨੰਬਰ ਉੱਤੇ ਫੋਨ ਕਰੋ।

PUNJABI

اگر آپ ان معلومات کو کسی بھی اور زبان یا انداز، مثلاً بڑے پرنٹ/آڈیو ٹیپ وغیرہ میں حاصل کرنا چاہیں، تو ڈاؤن لوڈ کریں
'Bereavement Services' کو اس نمبر پر فون کیجئے 01642 527341/42

URDU