

**Midhurst Town Council**

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**Rules and Regulations for Carron Lane Cemetery, Midhurst**

Carron Lane Cemetery is owned and operated by Midhurst Town Council, referred to below as ‘the Council’.

If you wish to purchase a plot in Carron Lane Cemetery for a loved one a Funeral Director can do this on your behalf.

**General Information**

* **Purchasing a Grave or Ashes Plot**

A Funeral Director will arrange this for you. You cannot pre-purchase graves. The relevant form will need to be completed which can be found on the Council’s website.

* **Graves and land ownership**

When a new grave is purchased, it is not the land that is purchased but the rights to have burials in that space. Ownership of the land itself remains with the Council and the Council retains the right to make rules and regulations to benefit all cemetery users.

* **Exclusive Right of Burial**

A Deed of Exclusive Right of Burial in a grave may not be purchased in advance of a death. The grave owner is either the person who has purchased the grave or the person who has signed the legal interment notice for a burial (usually the next of kin).

A Deed is issued for a period of 100 years. The Deed does not give the owner the right to erect and maintain a memorial on the grave. A formal application for the erection of a memorial is required.

* **Transfer of the Exclusive Right of Burial**

A grave owner or their Legal Personal Representative may transfer the ownership of a right of burial in a grave space, subject to the proper notice of such transfer being given to the Council on the appropriate form. For details of the relevant form please refer to the Council’s website or contact the Council. The Council will then register the transfer and endorse a note thereof on the grant.

* **Disposal Certificate/Cremation Certificate**

No interment shall take place without the Disposal Certificate, or the Cremation Certificate being forwarded to the Council prior to the burial. In the case of a late foetal loss or pre-24 weeks loss, the Medical Practitioner or Midwife’s certificate of delivery will be required.

* **Times of Burials**

Monday to Friday 9.30am – 5.00pm, excluding Bank and Public Holidays, providing the light is adequate.

* **Fees**

Fees for all cemetery services are determined by the Council on an annual basis and take effect on 1st April each year. Fees can be accessed from the Council’s website or by contacting the Town Council.

**Ashes within Graves**

Six caskets of ashes can be interred in a full grave plot. Once interred, ashes cannot be disturbed unless a Ministry of Justice Licence and/or a Bishops faculty are obtained. In the case of an interment of cremated remains (ashes), the cremation certificate will be required for burial or scattering purposes.

No body or cremated remains (ashes) may be removed from a grave without the production of the ecclesiastical faculty and or Ministry of Justice licence for exhumation required by law. Original documents will be required for this purpose.

Cremated remains (ashes) may be interred in caskets or other approved containers in conventional graves or graves for cremated remains (ashes) and must be interred by an approved funeral director.

**Introducing a Memorial (Installations)**

A memorial can be a headstone, tablet or a plinth with one or two vases. Please see specifications below.

No monument of any sort will be allowed to be installed or placed on any grave or in any part of the Cemetery without the consent of the Council.

All memorials must be erected in accordance with BS8415 and the National Association of Memorial Masons (NAMM) or the British Register of Accredited Memorial Masons (BRAMM) Code of Practice current at the time of installation. The owner of the Exclusive Right of Burial is responsible for keeping the memorial in a good a safe condition during the term of each license.

**Memorial Applications/Licenses**

The right to erect a memorial, rests with the Exclusive Right deed holder or their Legal Personal Representative.

If the memorial is not in a sound and safe state of repair the Exclusive Right deed holder or their Legal Personal Representative will be asked to make good.

The Memorial Application form, which can be found on the Council’s website must be submitted to the Council for the following requirements:

* to place a new memorial or kerb set in the cemetery;
* alter or add any inscription;
* replace, add to or remove any memorial or kerb set from the Cemetery

With the application a drawing or photograph of the memorial and the proposed inscription must also be submitted.

Any question on the fitness of an inscription or the design or material construction of a monument erected or placed on consecrated ground shall be determined in the first instance by the Council. The Council’s decision on the fitness of any inscription or design of any memorial shall be final.

The approval of the Council for any such application will be confirmed in writing. No works will be undertaken unless written consent has been issued. The consent is issued on the understanding that the work undertaken will comply with the details specified within the application form and the requirements of these regulations.

**Memorial Specifications**

On full memorial grave plots, no memorial must exceed the following dimensions:

* Single grave 1.9812m x 0.762m x 0.9144m (6ft 6in x 2ft 6in x 3ft 5in)
* Double grave 1.9812m x 1.9812m x 1.2192m (6ft 6in x 6ft 6in x 4ft 7in)
* Triple grave 1.9812m x 1.9812m x 2.1336m (6ft 6in x 6ft 6in x 7ft 1in)
* Memorials on grave plots must be at the head of the grave and have the grave number cut conspicuously on the back or headstones or top right-hand corner for tablet memorials.
* Metal clamps or dowels for memorials shall be of a non-corrosive type.

**Memorial Specifications in the Garden of Remembrance**

* 350 mm (14") by 230 mm (9") by 52 mm (2") and be of high durability material.

**What is Permitted on a Grave**

All memorials and mementos must be contained within the grave plot. The Council reserves the right to remove any memorials and mementos that do not conform to the specifications detailed below.

One memorial and one vase only will be accepted per plot.

* **Existing Flower Containers** - where there is already an existing plaque a flower container, if required, shall be a flush to the ground receptacle or one incorporated with the plaque as have at present been used in the Garden of Remembrance.
* **New Flower Containers** - on new plots the memorial tablet, if required, shall provide for a flush to the ground receptacle of suitable material and shall not exceed 375 mm (15") by 350 mm (14") overall.

**What is not Permitted on a Grave**

The following items must not be placed on a grave plot and the Council reserves the right to remove any such items:

* Glass vases or jars or plastic urns or bottles
* Mementos, including photographs, soft toys and artificial flowers.

In addition, no trees, shrubs or bushes are to be planted in grave plot.

**Memorial Benches**

Benches may be permitted, which are constructed of a recycled plastic material. The space in the cemetery is very limited, and although there may appear to be room to install bench, there are a significant number of unmarked graves in the cemetery. If you would like to install a memorial bench, please contact the Town Council to discuss this matter.

**Maintaining A Plot**

* **Maintenance of Graves**

The Council will maintain the grass within the cemetery. The maintenance of grave and memorials is the responsibility of the owner of the rights of burial.

* **Memorial Preservation**

Owners of Exclusive Rights of Burial are responsible for keeping memorials in good repair and for ensuring that the graves are kept neat and tidy.

In the event of any memorial falling into disrepair the Council will write to the owner requesting the necessary repairs are carried out within six months.

The Council will conduct annual headstone checks. If any headstones are deemed unsafe the Council will write to owners asking them to contact the Town Council within 14 days to confirm whether they will arrange for the headstone to be repaired and made safe.

The Council reserves the right to lay flat any memorial that has become or is likely to become dangerous or which is in a derelict or unsightly condition.

The Council reserves the right to Remove any items placed or planted on the graves that may interfere with the grass cutting and maintenance of the Cemetery grounds or are deemed inappropriate.

The Council will not accept responsibility for any accidents to memorials etc., occasioned by storm, wind, lightning, subsidence or other cause, or by third parties.

The Council will not be responsible for any criminal damage to memorials. Any incidents of criminal damage or theft are to be reported to the Police.

* **Memorial Removals**

The Council must be informed in advance of the removal of any memorial from the cemetery.

Any memorial removed from a grave to facilitate an interment shall be replaced as soon as practicable, but in any case, no less than six months (for a headstone) and nine months for a kerbed memorial.

When memorials are removed from graves to enable the opening of the grave to take place, all monumental masonry and other debris should be removed from site. Any debris left on site will be removed by the Council may charge for this work.

**Pet Ashes**

The Council will not grant applications for memorials to pets, or to scatter ashes of pets.

**Visiting the Cemetery**

Midhurst Town Council welcomes visitors to the Cemetery.

The Cemetery will be open to the public daily during April to September between 08.00am and 08.00pm and during October to March between 08.00am and dusk.

No person other than a person authorised by the Council shall enter or remain in the cemetery at any hour when it is closed to the public.

All persons entering the Cemetery will be subject to the orders and control of the Council or any person authorised by the Council.

Visitors are asked to respect the peace, dignity and reverence of the facilities.

All visitors shall conduct themselves in a decent, quiet and orderly manner and are reminded of the provisions of the Local Authorities’ Cemeteries Order 1977 article 18(1) whereby no person shall:

* Commit any nuisance in a cemetery
* Wilfully create any disturbance in a cemetery
* Wilfully interfere with any burial taking place in a cemetery
* Wilfully interfere with any grave, any tombstone or any other memorial or any plants on any such grave, or Play at any game or sport in a cemetery

Under article 19(c) of the Local Authorities’ Cemeteries Order 1977, any person who contravenes article 18 shall be liable on summary conviction to a fine and in the case of a continuing offence to a fine for each day during which the offence continues after conviction thereof:

* Any person found vandalising any part of the Cemetery or desecrating any grave plot will be liable for prosecution.
* No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit for orders from the same within the Cemetery.
* No person shall drop, throw or otherwise deposit and leave in the Cemetery waste or refuse of any kind except in the litter bins provided.
* No person shall operate any sound reproducing equipment or play any musical instrument in the cemetery without the prior consent of the Council.
* No photographs for commercial use or publication may be taken in the Cemetery without the prior consent of the Council.

**Children**

All children under 12 years of age must be accompanied by a responsible adult.

**Vehicles**

No vehicles are permitted in the Cemetery unless operated by a funeral director or given express permission by Midhurst Town Council. No person shall ride a bicycle, skateboard, scooter, e-scooter or other similar wheeled transport in the Cemetery.

**Dogs**

Dogs shall not be admitted to the Cemetery. Guide dogs and assistance dogs are allowed in the Cemetery.

*The Cemetery is managed and operated in accordance with the Local Authorities’ Cemeteries Order 1977, as amended by the Local Authorities’ Cemeteries (Amendment) Order 1986 and such other legislation or regulations as may be made or enacted. Government departments currently responsible for any legislative or regulatory change are the Ministry for Housing Local Government and Communities and the Ministry of Justice.*