



POLICY TITLE	CEMETERY POLICY AND REGULATIONS FOR MEMORIAL MASONS
POLICY NO	037
APPROVAL DATE	Adopted February 2016
REVIEW DATE	22 February 2024
VERSION	2
POLICY AIM	This Policy details the regulations for the use of Cullompton Cemetery and the regulations for Memorial Masons.

1. INTRODUCTION

- 1.1. Cullompton Town Council owns and maintains the Cemetery and Cemetery Extension at Tiverton Road, Cullompton having the power to provide and regulate cemeteries in accordance with the [Local Government Act 1972 s214](#) and the [Local Authorities Cemeteries Order 1977](#). It provides this facility primarily for the benefit of those living within the Parish of Cullompton.
- 1.2. There are some specific requirements for the East (the older) and West (the newer) parts of the Cemetery.

2. GENERAL REGULATIONS

- 2.1. No burial shall take place, cremated remains scattered, headstone or other memorial fixed or removed from the cemetery or additional inscription made to a headstone or other memorial without the express permission of the Town Clerk or other officer appointed for that purpose by the Council.
- 2.2. The relatives and friends of the deceased must make their own arrangements for the conduct of any burial service that is to be performed.
- 2.3. A chapel, located in the old cemetery, can be provided for a nominal charge for burial services and is for use by any denomination or religious body. Use of this facility is by prior arrangement with the Town Clerk or other officer appointed for that purpose by the Council and will attract an additional fee.
- 2.4. No interment can take place until a Certificate for Disposal has been provided to the council no later than 5 days prior to the proposed interment taking place and 3 days prior to the interment of ashes.

3. CHARGES AND FEES

- 3.1. Charges and fees are required to be paid in advance and will be reviewed periodically by the council.
- 3.2. The Interment Fee is for the digging of a grave only. Any additional work requested, for example bricking up of a grave, will be chargeable.
- 3.3. If the deceased did not live or own a property within the Parish of Cullompton prior to death, double will be charged for the purchase of a Grant of Exclusive Right of Burial unless exceptional circumstances exist and at the discretion of the Town Clerk.

4. GRANT OF EXCLUSIVE RIGHT OF BURIAL

- 4.1. Grant of Exclusive Right of Burial may be purchased giving the grave owner, for a period beginning on the date of the Grant and not exceeding 75 years, the right to:
 - 4.1.1. One or more burials in that grave space (subject to there being sufficient space available in that burial plot). A burial includes:
 - 4.1.1.1. The interment of human remains contained in a coffin.
 - 4.1.1.2. The interment of cremated human remains.
 - 4.1.1.3. The interment of the body or cremated remains of still-born children.
 - 4.1.1.4. The placing of human remains in a vault.
- 4.2. **The right to erect and maintain or to place an additional inscription on a headstone or other memorial on that grave space.** From 1 April 2014, the purchase of a Grant of Exclusive Right of Burial includes the right to erect a memorial. For graves purchased before this date, an additional fee is payable before permission to erect a memorial is granted.
- 4.3. Once a Grant of Exclusive Right of Burial for a grave space or cremated remains plot has been purchased, the upkeep and maintenance of that plot becomes the responsibility of the owner of the Deed. The council takes no responsibility for the maintenance or safety of that plot or any memorial erected upon it.
- 4.4. A record detailing all graves or vaults subject to specified rights will be kept by the council.
- 4.5. Unpurchased plots remain the property of the council and there is no right to place any form of memorial on any plot for which a Grant of Exclusive Right of Burial has not been issued. The council reserves the right to conduct more than one interment in any grave for which a Grant of Exclusive Right of Burial has not been purchased.
- 4.6. **Pre-purchase of Graves.** It is possible to pre-purchase a Grant of Exclusive Right of Burial prior to death. Spaces will be allocated in the Cemetery Extension and a Deed of Grant will be issued for graves purchased in this way and will be valid for a maximum of 75 years from the date of issue.
- 4.7. The council may, at the discretion of the Town Clerk, buy back graves that have previously been sold but are unused. Payment will be made at the original purchase price of the grave less an administration charge of 10% and will only be made when

the holder of the Grant of Right of Exclusive Burial surrenders the Grant of Right document to the council.

5. INTERMENT

- 5.1. All graves will have a capacity of two coffins only and must be dug by a professional grave digger employed or contracted by the council. It may be possible for mourners to assist with filling in graves if so desired.
- 5.2. No coffin shall be interred in a grave in such a manner that any part of the coffin is less than 3 feet below the level of any ground adjoining the grave. All coffins in the same grave space must be separated by a layer of earth no less than 6 inches deep.
- 5.3. When any grave is reopened for the purpose of making an additional burial, no person shall disturb any human remains interred or remove any soil which is offensive.

6. MEMORIALS AND HEADSTONES

Memorials and headstones may be installed on a purchased grave in accordance with Cullompton Town Council's this Policy Paragraphs 10-12.

7. REGULATIONS OF THE NATURAL BURIAL AREA

- 7.1. Cullompton Town Council's natural burial area is a place for nature to thrive and to encourage biodiversity. As such, management of this area is by light touch and, with the exception of paths that will not be finished but may be cut, all areas will be left to nature.
- 7.2. By purchasing a burial plot in our natural burial area, you are agreeing to the following:
 - 7.2.1. Purchase of a plot (or plots) is for the right of burial within that plot only. There is no exchange of ownership of the plot(s).
 - 7.2.2. Only interments using environmentally friendly coffins or caskets (without plastic or metal furniture) or shrouds are permitted. Cremated remains may also be interred directly to the earth as well as in environmentally friendly urns and caskets. Only environmentally friendly clothing is to be used to clothe the deceased and any personal effects placed within the coffin/casket must also be environmentally friendly. Jewellery must be removed from the deceased prior to interment.
 - 7.2.3. Only one interment per grave will be permitted and graves will be dug only to single depth.
 - 7.2.4. Floral tributes and flowers placed on graves must not be wrapped in cellophane, tied with florist ribbon or contained in plastic trays as these items are not biodegradable. Cut flowers are welcome. Cut flowers placed on graves will be removed after a reasonable period. Vases cannot be placed on or sunken into plots as these pose a threat to wildlife. Balloons are strictly forbidden as they also pose a threat to wildlife.
 - 7.2.5. Graves will not be personalised with markers, monuments, vases, statues, stones, fences, or other such items nor will the meadow/flowers upon and

around the grave be cut without written authority. The integrity of the natural burial ground, nature and the environment are paramount. Cullompton Town Council reserve the right to remove unauthorised items and/or manage, re-seed or plant a grave without notice. Seeds and bulbs may be scattered/planted, subject to the approval of Cullompton Town Council. However, they must remain natural and flower beds must not be cultivated or developed. The location of graves will be by the burial of a steel marker, engraved with the Row and Grave number and identifiable with a metal detector, in the grave just below the surface.

- 7.2.6. Only memorial trees of a native species may be planted. Trees are to be sourced and purchased by the grave owner and prior approval of the species is to be obtained prior to purchase. Memorial trees will be planted by Town Council staff. It must be noted that trees may be cut or, in some instances, removed by Cullompton Town Council without notice if they preclude the development of other trees, are obstructing a footpath or a grave or for health and safety reasons. Application is to be made on the application form contained on the website.
- 7.2.7. Cullompton Town Council will not be responsible for damage or loss to any items placed upon graves or in any area of the burial ground. Unauthorised items removed by the Council from grave spaces in the natural burial area will be retained for a period of 6 months before being disposed of.
- 7.2.8. Whilst efforts will be made to keep soil away from graves, it must be understood that, on occasions when neighbouring graves are excavated, soil from that grave may temporarily cover other graves. Every effort will be made to minimise this, reduce the time any such action is required, and to make good all graves once the interment is complete. Graves may from time to time be levelled by the addition of topsoil and reseeded by Cullompton Town Council if required and deemed appropriate.
- 7.2.9. Unless attending a service, or to help the disabled or infirm, motor vehicles are restricted to the car park only. Other mobility devices, such as mobility scooters, are permitted but great care must be taken in their use as the pathways will not be formalised.
- 7.2.10. No litter. There are no litter bins at the natural burial area and all litter must be removed from the burial ground and taken home with you.
- 7.2.11. There are to be no recreational activities that may have a negative impact upon visitors to the burial ground or are not respectful to the burial ground or the environment are permitted. This includes the drinking of alcohol at the burial ground unless as a toast at the time of burial or at picnic during or after a funeral service. Picnics during and after burial services are welcomed, however, consideration must be made for other visitors to the burial ground and the environment; no fires or barbecues are to be lit. Appropriate respect must be always maintained. This includes responsibly disposing of all litter.

- 7.2.12. Photography and videography are permitted. Although the privacy, dignity, and respect of others at the burial ground must be always maintained. No person at the burial ground is to be photographed and/or their image used in any way without their express permission.
- 7.2.13. Other than access paths, the natural burial area will, in the main, be left to nature throughout the year. Accordingly, areas may be overgrown with plants, flowers and grasses as nature intends. This allows nature to thrive and promotes biodiversity. Whilst some plants may be considered weeds by domestic gardeners, they remain an integral part of the natural environment and are, therefore, welcomed. The natural burial area will be sympathetically cut at the end of the growing season and pathways may be cut during the season.
- 7.2.14. For environmental reasons the deceased is not be embalmed or subjected to environmentally unfriendly hygiene treatments prior to the burial unless in exceptional circumstances; in such exceptional circumstances, approval must be received from Cullompton Town Council. Treatments using environmentally friendly products is acceptable.
- 7.2.15. Grave plots, once purchased, may be returned to Cullompton Town Council if a written request is received by the grave owner or a legal representative providing appropriate authorisation. Upon receipt of the request, a refund will be made, minus deductions from the original sum paid for any commissions paid, an annual maintenance fee for each year since the purchase of the plot, and an administration fee. No grave plot can be returned once a burial has taken place, even if an exhumation has been conducted.
- 7.2.16. No exhumation will be permitted unless the appropriate application has been submitted and legal documentation authorising the exhumation received.
- 7.3. Cullompton Town Council reserves the right to refuse a burial if conditions 7.2.1 to 7.2.16 are not met.
- 7.4. As an area left to nature, the natural burial area may have uneven and overgrown paths, and there may be various natural hazards. Paths can also become damaged and/or challenging due to weather conditions or wildlife. Cullompton Town Council will not accept any liability for accidents, injury, or damage to any visitor to the burial grounds or cars entering, leaving, or parking at the burial ground.
- 7.5. Please inform Cullompton Town Council on 01884 38249 or by email deputy@cullomptontowncouncil.gov.uk if you are aware of any issue or concern regarding the Cemetery.
- 7.6. Cullompton Town Council reserve the right to amend these Regulations at any time if appropriate. A copy of which shall be available to read on each burial ground noticeboard and on our website www.cullomptontowncouncil.gov.uk. Paper copies are also available upon request from our offices.

7.7. Adherence to these regulations is essential to maintaining the integrity of the natural burial area and to ensure nature can thrive. Accordingly, it is the duty of Cullompton Town Council to enforce the above regulations without notice.

8. REGULATIONS FOR MEMORIAL MASONS

8.1. All Memorial Masons who wish to work in Cullompton Town Council's cemetery must meet the following criteria:

8.2. Hold a Public Liability Insurance Policy cover of at least £5m.

8.3. Adhere to the National Association of Monumental Mason's Code of Working Practice (March 2000 edition or later). A NAMM approved anchor system is to be used on all new monuments and the same should be installed on all refitted monuments. The choice of the system is left to the Mason but should be the most appropriate for the soil conditions.

8.4. Provide a statement to the effect that the Mason has not been barred from working in any other cemetery in the last two years and an assurance that should this occur in the future the Mason will inform the Council immediately.

8.5. Ensure that all work will conform to statutory requirements and Cemetery regulations.

9. RIGHTS AND PERMISSION TO ERECT A MONUMENT

9.1. It is no longer necessary for a grave owner to purchase separately a Right to Erect a Monument. These Rights will be granted when Exclusive Rights of Burial are obtained. No monuments may be erected on unpurchased graves; should one be so erected the Council may demand its immediate removal at the expense of the Mason.

9.2. Whilst the Exclusive Right of Burial will remain for a period of either 30 or 75 years, the right to erect a memorial will exist only for a period of 20 years. Notwithstanding that, a memorial stone may be laid flat if it is considered to be unsafe and the Council, after expiry of the Memorial Grant, retains the right to remove an unsafe memorial after making reasonable efforts to contact the grave owner and, following further efforts to contact the grave owner, dispose of it after a period of 6 months.

9.3. It is the Mason's responsibility to satisfy him or herself that the purchaser of a monument has a right to erect it. All applications should bear the signature of the owner of these Rights. A complete plan of the proposed monument, including complete details of foundation works and the proposed inscription must be submitted to the council on the latest edition of the appropriate form at least four weeks before work is scheduled to commence. Once this has been approved, a permit to construct will be issued.

9.4. Fees and charges for Rights to Erect monuments on graves purchased before 1 April 2014 and other related fees (such as the permission to alter the inscription) will be reviewed annually.

10. INSTALLATION OF A MONUMENT

- 10.1. Memorial Stones are not to be installed until at least 6 months has elapsed since the interment in that grave.
- 10.2. Once in possession of any permit, Masons must give at least 2 clear days of notice of intent to work in the cemetery giving full details of graves and monuments upon which work will be carried out. A proposed time of arrival at the cemetery should also be included where possible. This information may be posted to the council office or sent by email to deputy@cullomptontowncouncil.gov.uk.
- 10.3. No variations from the terms of a permit and all monuments must bear the name of the Mason and the grave reference number in characters no higher than 4cm on the rear of the base.
- 10.4. The funeral organiser will order removal of monuments before an interment. All parts of the monument must be removed from the cemetery unless written permission has previously been obtained from the Council. Any masonry found unattended and away from a grave in any part of the cemetery will be deemed to have been abandoned and may be disposed of.
- 10.5. Masons will be notified if an interment is scheduled at a time when they are to be working in a cemetery. All works in the vicinity of the interment must cease and personnel, plant and vehicles must be withdrawn from the area at least 15 minutes before the time of the interment. Work may recommence when all mourners have left the cemetery.
- 10.6. If wheeled or tracked machinery is to be used to transport monuments around the cemetery, masons are to take precautions to protect the graves and lawned areas of the cemetery from damage.

11. MEMORIALS

- 11.1. The following restrictions on the size and type of monuments are required by the Council in accordance with the Cemetery Policy.
- 11.2. Grave memorials or headstones will not exceed:

Depth	12 inches (300mm)
Width	30 inches (760mm)
Height	36 inches (910mm)

- 11.3. Cremation markers will be of the following dimensions:

- 11.3.1. East Cemetery Front Bank (Row M) will have wedge shaped memorial tablets the will not exceed the following dimensions; the foundation stone is to be no more than 20 inches square:

Depth	18 inches (450mm)
Width	18 inches (450mm)

Height	4 inches (100mm) tapering to 2 inches (50mm)
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- 11.3.2. West Cemetery (Magnolia) will have wedge shaped memorial tablets that are of the following dimensions; the foundation stone is to be no more than 20 inches square:

Depth	18 inches (450mm)
Width	18 inches (450mm)
Height	4 inches (100mm) tapering to 2 inches (50mm)

- 11.3.3. All other cremated plots in the East Cemetery will have memorials that do not exceed the following dimensions:

Depth	12 inches (300mm)
Width	15 inches (375mm)
Height	27 inches (685mm)

- 11.3.4. Kerbing installed on single width grave spaces in the East Cemetery will not exceed:

Height	7 inches (180mm)
Width	36 inches (910mm)
Length	7 feet (2.13m)

- 11.3.5. Kerbing installed on double width grave spaces in the East Cemetery will not exceed:

Height	7 inches (180mm)
Width	7 feet (2.13m)
Length	7 feet (2.13m)

- 11.4. Kerbing is not permitted in the Cemetery (West).

- 11.5. Only the owner of a grave space has the right to place, or order to be placed, any memorial or other constant item on a grave space. Approval must be sought and obtained prior to a memorial being erected, an inscription added to an existing memorial or any other changes. Memorials that are erected or changed without such permission may be removed. Memorials are to be constructed of either stone or slate although a small wooden structure may be used as a temporary grave marker. ***For safety reasons, memorials and other items that are made of glass, ceramic or plastic will be removed without notice.***

12. TIVERTON ROAD WEST CEMETERY

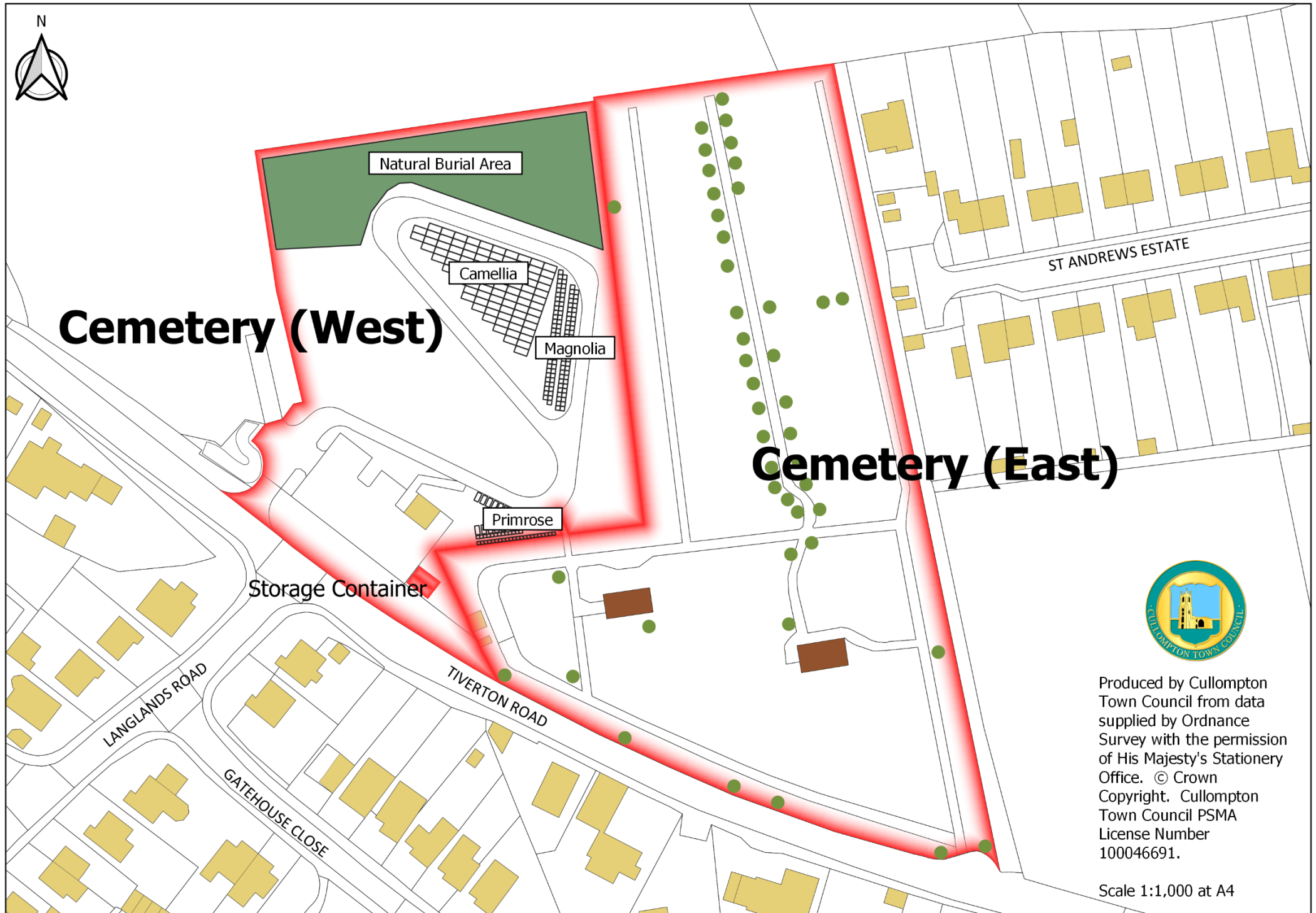
- 12.1. All graves in the Cemetery Extension will be laid to lawn with no burial mounds. No memorial items are to be placed on the lawned area. Side by side burial plots may be purchased if available.
- 12.2. Grave memorial headstones will not exceed:

Depth	12 inches (300mm)
Width	30 inches (760mm)
Height	36 inches (910mm)

13. MEMORIAL BENCHES

- 13.1. A limited number of sites are available for the installation of memorial benches in the Cemetery (West) and are indicated on a plan held by the Town Council. Memorial benches may be leased in their entirety for the installation of a memorial plaque or memorial plaques may be one of three plaques installed on a communal bench. The ratio of individual benches and communal benches will be variable and determined by demand for memorial plaques. The waiting list will indicate a preference for an individual or a communal bench plaque. The engraving will consist of no more than 5 lines of text each of which will be no more than 40 characters.
- 13.2. All benches will be purchased, installed, owned and maintained by Cullompton Town Council and will be replaced as considered necessary. Memorial plaques will be purchased and installed by Cullompton Town Council. The engraved message will be agreed, in advance, with the lease holder and plaques will be fabricated from brass or stainless steel and will measure 100mm wide and 50mm high; they will be fixed to memorial benches using brass or stainless-steel screws with domed heads.
- 13.3. Space for memorial plaques will be leased on the following basis:
- 13.3.1. A waiting list for the lease of space for memorial plaques will be maintained by Cullompton Town Council.
 - 13.3.2. Plaques will be payable in advance at the prevailing fee for a lease period not exceeding a period of 5 years.
 - 13.3.3. Fees will be reviewed annually.
 - 13.3.4. Plaques may be installed on an individual bench or up to three plaques may be installed on a communal bench.
 - 13.3.5. The scale of fees for memorial plaques is contained in the Schedule of Fees for Cullompton Cemetery which is published annually.

13.4. **Leases.** A lease may be granted for the installation of a memorial plaque on a bench in the cemetery for a period not exceeding 5 years. At the end of this 5-year period, the lease holder will be contacted at their last known address and provided with the option of renewing the lease for a further 5 years after payment the prevailing fee. Should the lease not be renewed, the lease will be sold to the next on a maintained waiting list for the prevailing fee and the removed plaque retained for a period of 6 months.



Cemetery (West)

Cemetery (East)



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