



Stratford-upon-Avon
TOWN COUNCIL

Stratford-upon-Avon Town Council

The Burial Authority

Stratford-upon-Avon Cemetery
Rules & Regulations

Reviewed November 2015

DEFINITIONS

1. The following words and expressions shall have the meanings hereinafter respectively assigned to them:-

“The Council” means the Stratford-upon-Avon Town Council.

“The Cemetery” means the Cemetery provided by the said Council and situate in Evesham Road.

“Grave” means a burial place formed in the ground by excavation having earthen sides and being without any artificial lining of brickwork, masonry or other materials.

“Vault” means a grave the earthen sides of which have been lined by walls in brickwork, masonry or other materials.

“Grave Ornament” means an ornament specially designed for placing on a grave and not being designed and intended only as a container for cut flowers.

“Town Clerk” means the Town Clerk for the time being of the Council, whose office is situate at the Town Hall, Sheep Street, Stratford-upon-Avon, Telephone 01789 269332.

“Foreman” means the Foreman of the Cemetery whose office is situate at the Cemetery, Evesham Road, Stratford-upon-Avon, Telephone 07767 834447.

OPENING TIMES

2. The Town Clerk’s Office 9:00am – 5:00pm Monday to Friday
Closed for lunch from 1:00pm – 2:00pm

- The Cemetery The Foreman or a member of staff will be present at the Cemetery from
9:00am – 4:30pm Monday to Thursday
9:00am – 3:30pm Friday
Closed for lunch from 12:30pm – 1:30pm

The Cemetery

8:00am – 7:30pm from 1 March
to 30 September

8:00am – 4:30pm 1 October
to 28 February

Visitors are not permitted in the Cemetery after dark when the gates are closed.

The Town Council reserves the right to alter the opening/closing times without prior notice.

In accordance with Health and Safety legislation the Council reserves the right to temporarily close the Cemetery to carry out necessary work to ensure public safety.

INTERMENTS

3. The sites of interments in graves in respect of which an exclusive right of burial has not been granted will be selected by the Foreman, but persons purchasing the exclusive right of burial in grave spaces may select the sites thereof subject to the approval of the Town Clerk.
4. Any grant of the exclusive right of burial in a grave space which is assigned by deed or bequeathed by will must be notified to the Town Clerk by the person to whom the right has passed.
5. No burial may take place before 9.00 am or after 4.00 pm without the special permission of the Town Clerk. The time appointed must be the time when the funeral is to arrive at the Cemetery, which must be punctually observed.
6. No burial shall take place on a Saturday, Sunday or bank holiday.
7. Notice of interment, on the form provided by the Town Clerk, must be given to him at least 48 hours (excluding Saturdays, Sundays and public holidays) before the interment. 72 hours notice must be given of an interment in a walled grave or vault.
8. If the owner of a grave as stated on the Exclusive Right of Burial is deceased, a re-assignment of the Exclusive Right of Burial will be required. Please contact the Town Clerk for further information.
9. On every opening of a grave in respect of which the exclusive right of burial in the grave space has been purchased, the

Deed of Grant of Exclusive Right of Burial must be produced to the Foreman on giving notice of burial, together with the written consent of the purchaser and where applicable, the person to whom the right has been transferred.

10. All fees and charges are to be paid to the Council; in the case of an interment, at the time of giving notice, and in all other cases before the work in respect of which they are payable is begun. A receipt for every payment will be given on an authorised form.
11. In accordance with Section 1 and 5 of the Births and Deaths Registration Act 1926, the Registrar of Births, Deaths and Marriages certificate for disposal or the Coroner's order for burial where an inquest has been held, must be given to the Foreman at least one day before the funeral. In the case of a stillborn child a certificate or Coroner's order is required.
12. All graves other than vaults will be prepared by persons employed by the Council, but no work connected with vaults will be undertaken. All workmen employed otherwise than by the Council will be required to work under the direction of the Foreman and to his satisfaction. Vaults must be excavated and built at the expense of the purchaser and the surplus soil excavated therefrom shall be deposited on such part of the Cemetery as the Foreman may direct, and all the surrounding ground, turf and path, left clear and in proper order on completion.
13. The walls of all vaults shall be not less than 9 inches (22.8cm) thick of good hard brick in cement mortar, or otherwise constructed to the satisfaction of and with materials approved by the Foreman and shall be built up to within 6 inches (15.2cm) of ground level on the first interment. The uppermost arch or covering stone or slab shall not be within 18 inches (45.7cm) of ground level. Vaults shall be opened from the top thereof, unless the adjoining ground required for making an entrance thereto is in the same ownership as the vault. On every interment in a vault the coffin must immediately after interment be separately entombed in an airtight manner with a properly cemented stone or other covering at least 4 inches (10cm) thick approved by the Foreman.
14. Not more than one body shall be buried in any grave unless a layer of earth at least 1 foot (30cm) thick shall be left between each coffin in that grave and the top of every coffin in any

grave other than a vault shall be at least 3 feet (91cm) below the surface of the ground. In the case of vaults there shall be at least 18 inches (45.7cm) of earth between the uppermost arch of covering stone or slab of the vault and the surface of the ground.

15. Where the exclusive right of burial in a grave space has not been purchased, wooden or bio-degradable coffins only shall be used.
16. No coffin shall be buried at a greater depth than 6 feet and 6 inches without the Town Clerk's special permission.
17. Cremated remains only to be interred in exclusively designated areas.
18. Burials at which more than 50 persons may be expected should be notified to the Foreman in advance to allow for appropriate arrangements to be made.
19. If a funeral arrives late the interment will take place as soon as possible and at a time as directed by the Cemetery Foreman.
20. Plaques of bronze (6 inches x 4 inches or 15cm x 10cm) for scattered ashes can be placed on the chapel wall in a position determined by the Foreman and fixed by Cemetery staff only.

CARE OF GRAVES

21. All gravestones and monuments on a purchased grave must be kept in repair by the owner or owners thereof. Any person carrying out work of any kind on a grave shall take such steps as may be necessary to protect the adjoining graves, memorials, grass, trees, plants, paths and all persons from injury.
22. If the exclusive right of burial has been granted in any grave space the surface of such grave will be kept in order and maintained by the Council.
23. The Council will not be responsible for damage to any monument or gravestone through any cause whatsoever.
24. The Foreman shall be at liberty to remove from a grave any article which is or has become broken or unsightly and in particular may remove any flowers which have deteriorated.

(This includes artificial flowers).

25. No person may plant shrubs, or plants on any grave in the Cemetery except with the permission and under the control of the Foreman and where permission is granted the Foreman may at any time after the grant of permission trim or remove such shrubs or plants if he considers such action is desirable.
26. Mounding of graves or the removal of turf from graves or its surroundings will not be permitted.
27. The use of chemicals on graves and grass surrounds is prohibited.
28. If the exclusive right of burial has been granted in any grave space the surface of such grave will be kept in order and maintained by the Council.
29. The Council reserve the right to remove any monument, memorial, border stone or footstone from any grave when such removal is deemed by the Foreman to be necessary for the carrying out of an interment in an adjoining grave. The Council will however replace the same and make good any damage which may have been caused during such removal and replacement.
30. The Council reserves the right to maintain, repair or remove any item that the Foreman considers to be unsafe or unsightly.

MEMORIALS

31. Except as otherwise permitted by the Town Clerk only one gravestone, monument or permanent grave ornament is permitted on any grave.
32. No gravestone, monument or grave ornament shall be erected or placed on any grave without the prior approval of the Foreman.
33. No receptacle or other article for cut flowers other than a vase shall be placed upon any grave without first having been approved by the Foreman. Anything placed contrary to the regulations may be removed.
34. Drawings of every gravestone, monument or grave ornament together with a copy of any inscription shall be submitted to the

Town Clerk on the forms provided by the Council.

35. All gravestones, monuments or grave ornaments being erected or placed on a grave, or where applicable, being re-erected, shall have the appropriate grave number inscribed thereon.
36. Gravestones and monuments or grave ornaments of Caen, Bath or other soft stone or any artificial materials or substance will not be permitted without the prior consent of the Town Clerk.
37. If stone chippings are to be laid on a grave, they should be retained within a flush kerb border.
38. No gravestone/memorial/kerb stone shall be erected by anyone other than an approved stonemason.
39. No hewing or dressing of stones will be permitted within the Cemetery and all materials for graves, vaults, monuments or grave ornaments shall be conveyed into the Cemetery in such a manner, under the direction of the Foreman, as will avoid damage to the ground and walks; and all refuse, soil, rubbish and materials shall be removed under the direction of the Foreman.
40. No advertisement shall be put upon any gravestone, monument or grave ornament or on the kerbs of any grave except that the name only of the monumental mason may be inscribed in letters not exceeding $\frac{1}{2}$ inch (13mm) in height.
41. A foundation base 3 feet x 2 feet (91cm x 61cm) shall be provided for all headstones to which the headstone shall be securely affixed. All kerbs shall be properly dowelled and cramped into base and footstone. All headstones shall be affixed in accordance with BS8415 and the National Association of Memorial Masons recommended Code of Practice.
42. All headstone bases and other bases, landings and under bearings shall be sited and placed into position under the direction of and to the approval of the Foreman.
43. The work of erecting or renovating gravestones, monuments and grave ornaments is not permitted on Saturdays Sundays.

44. All gravestones, monuments and grave ornaments shall be kept in repair by the owner and if not so kept in repair may be repaired or removed by the Council at its direction and at the expense of the owner.
45. Gravestones, monuments and grave ornaments will be allowed only on graves in respect of which there is an exclusive right of burial.
46. a) In the lawn garden section of the Cemetery only headstones not exceeding 3' 3" inches (99cm) high by 2' (61cm) wide by 15" (38cm) deep and flower vases not exceeding 18" (46cm) high will be allowed.
b) In the lawn garden of the Cemetery the overall measurements of the whole grave area may not exceed 2' by 2' (61cm x 61cm). No part of this area shall be behind the gravestone.
c) No memorial exceeding 3'3" (99cm) in height may be installed without the prior permission of the Council.
47. In the lawn garden section, areas will be set aside at the direction of the Town Clerk for the scattering of ashes.
48. In areas set aside exclusively for the burial of cremated remains, memorial stones are permitted either flat or inclined, of a standard size, 18 inches x 15 inches, (45cm x 38cm) incorporating, if desired, a receptacle for flowers or potted plants.
49. Kerbs must be below turf level and flush with the headstone.
50. The following trees may be used as commemorative planting in Evesham Road Cemetery. The scattering of ashes beneath the trees is permitted: Snowy Mespil, Holly (Ilex spp), Rowan (Sorbus spp), Japanese Flower Crab Apples (Malus Floribunda) and Japanese Flowering Cherries (Prunus Serralata). Contact the Town Clerk's Office for further details.
51. The use of wooden crosses is not permitted after one year of the date of burial. After this date the Cemetery Foreman has the right to remove.
52. The authority provides benches on which memorial plaques can be placed. Contact the Town Clerk's Office for further details.

53. The Council reserves the right to test memorials for safety and stability as an ongoing programme. Where memorials are identified as being unsafe the Council will take action to remove the risk.

GENERAL

54. Children under 12 years of age will not be admitted to the Cemetery unless under the care of a responsible adult.

55. Dogs brought into the Cemetery must be kept on a leash. In the event of a dog fouling, owners are expected to act responsibly by clearing up and removing the excrement from the Cemetery.

56. Recreational cycling, skateboarding and the like is not permitted.

57. Motor vehicles should not be driven in excess of 10 miles per hour. No vehicle should be parked or left unattended on the driveways. Cars may only be parked in designated parking spaces. Cars parked in unauthorised areas may be clamped.

58. Any damage caused to memorials or buildings by vehicles the owner of such vehicle shall be liable for the cost of its repair or replacement.

59. Any damage caused to turf, plants, trees etc. by vehicles the owner of such vehicle shall be liable for the cost of its repair or replacement.

60. The playing of radios, music or any musical instruments in the grounds of the Cemetery shall not be allowed without the permission of the Town Clerk.

61. Visitors shall not prevent the Council's staff from carrying out their duties nor employ them to carry out work within the grounds of the Cemetery.

62. Gratuities shall not be given to staff.

63. No person shall distribute any tract, business card, advertisement or literature of any kind nor solicit orders within the Cemetery or at the entrance either for himself or on behalf of any other person.

64. Where the Council remove any item, memorial or any other object to ensure compliance with regulations, the Council will not be responsible for their safe keeping, nor if as a result of their actions any damage occurs to the item removed.
65. Whenever it is expected that a large number of people may be likely to damage the flower beds or shrubs in the Cemetery, in consequence of a funeral being attended by a band of music, or for any other reason, the Foreman shall be empowered to close the Cemetery for such time prior to the arrival of the funeral as he shall consider necessary and to keep the same closed and refuse to allow the public to enter the Cemetery for such time during and after the interment as he may in his discretion consider necessary.
66. No person shall do anything that is likely to cause offence to any other person lawfully using the Cemetery.
67. These regulations shall come into effect on 1 August 2005 and from that date shall supersede all previous regulations made in respect of the Cemetery.
68. The Council reserves the right from time to time to make alterations to these regulations which they may deem necessary or expedient.
69. In case of a divergence of opinions, the Town Council's word is final.

OFFENCES AND PENALTIES

70. By the provision of Article 18 of the Local Authorities Cemeteries Order 1977 it is enacted that
- i) No Person shall –
 - a) Wilfully create any disturbance
 - b) Commit any nuisance
 - c) Wilfully interfere with any burial taking place
 - d) Wilfully interfere with any grave or vault, any tombstone or any memorial, or any flowers or plants or any such matter
 - e) Play at any game or sport
 - ii) No person not being an Officer or Servant of the Burial Authority or another person so authorised by or on behalf of the Burial Authority shall enter or remain in the Cemetery at any hour when it is closed to the public.

71. Any person who contravenes the above enactments shall be liable to a fine not exceeding £100 and in the case of a continuing offence not exceeding £10 for each day during which the offence continues.

**Town Clerk
Stratford-upon-Avon Town Council**

**Stratford-upon-Avon Town Council
Town Hall
Sheep Street
Stratford-upon-Avon
CV37 6EF**

Telephone: 01789 269332