Stratfield Mortimer Parish Council
Cemetery Regulations

Interpretation

1 In these regulations (**Regulations**) words or phrases expressed in bold type shall have the meanings ascribed to them:

1847 Act	the Cemeteries Clauses Act 1847;
1977 Order	The Local Authorities' Cemeteries Order 1977;
Ashes	the cremated ashes of a deceased human body contained in an urn or like means of containment;
Burial	the interment of a deceased human body in a coffin or like means of containment within a Grave;
Burial Certificate	a Certificate for Burial (green form);
Burial Plot	a plot within the Cemetery identified in an ERI for the siting of a Grave;
Cemetery	the Council cemetery located adjacent to the grounds of St Mary the Virgin Church, Church Lane, Mortimer, RG7 3NX, including the Cemetery Extension;
Cemetery Extension	the extension to the original Council cemetery located to its south west and opened in 2026;
Cemetery Pamphlet	the pamphlet entitled “Cemetery Information” annexed to these Regulations as an appendix;
Coroner’s Order	a Coroner’s Burial Order (white form);
Council	Stratfield Mortimer Parish Council;
Cremation Plaque	a plaque on a Cremation Plot commemorating a deceased and placed in accordance with a Memorial Permit and these Regulations;
Cremation Plot	a plot within the Cemetery identified in an ERI for the interment of Ashes;
ERI	an Exclusive Right of Interment (to include an Exclusive Right of Burial within the meaning of s.40, 1847 Act and Reg 10, 1977 Order);
ERI Application	the application form for an ERI, obtainable via the Webpage and returnable to the Parish Clerk with any applicable Fee;

ERI Holder	the individual or individuals granted an ERI, or their successors agreed in accordance with these Regulations;
ERI Transfer Form	the application form requesting the transfer of an ERI to a new ERI Holder, obtainable via the Webpage and returnable to the Parish Clerk with any applicable Fee;
Fee	the relevant fee for a particular activity relating to these Regulations as set out in the current Fees Table;
Fees Table	the table of Fees published by the Council from time to time via the Webpage;
Grave	a grave within a Burial Plot used for a first and/or second Burial in accordance with an ERI;
Headstone	a headstone on a Burial Plot commemorating the deceased and erected in accordance with a Memorial Permit and these Regulations;
Interment	the interment of Ashes or a Burial;
Interment Application	the application form for an Interment, obtainable via the Webpage and returnable to the Parish Clerk with any applicable Fee;
Interment Ceremony	the act of Interment at a Plot, including any funeral, other commemoration or ceremony;
Memorial	a Headstone, Plot Marker, Cremation Plaque or Memorial Plaque;
Memorial Application	the application form for a Memorial Permit, obtainable via the Webpage and returnable to the Parish Clerk with any applicable Fee;
Memorial Conditions	the document setting out the dimensions, terms and conditions relating to Memorials, obtainable via the Webpage and referred to in the Memorial Application;
Memorial Permit	written permission from the Council to erect or site a Memorial in accordance with the Memorial Conditions and these Regulations;
Memorial Plaque	a plaque fixed to the Memorial Wall commemorating a deceased and placed in accordance with a Memorial Permit and these Regulations;
Memorial Wall	the memorial wall situated within the Cemetery Extension;
Parish Clerk	the Clerk to the Council (see Cemetery Pamphlet for contact details), to include the Deputy Clerk to the Council as necessary;
Parish Office	the Council office (see Cemetery Pamphlet for address, and

	Website for opening times);
Plot	a Burial Plot or a Cremation Plot;
Plot Marker	a simple wooden post, cross, etc on a Plot commemorating the deceased and erected in accordance with a Memorial Permit and these Regulations;
Register	the Register of Burials;
Webpage	www. stratfield-mortimer.gov.uk/what-we-do/cemetery;
Website	www. stratfield-mortimer.gov.uk.

Introduction

2 These Regulations:

2.1 supersede any previous regulations relating to the Cemetery,

2.2 apply to the Cemetery and to any other burial ground owned or operated by the Council;

2.3 should be read in conjunction with the Cemetery Pamphlet.

Who may be Interred in the Cemetery?

3 The Cemetery is open for the Interment of all deceased persons in compliance with these Regulations regardless of race, ethnic origin or creed.

4 The only persons with a right to Interment in the Cemetery are:

4.1 residents at the time of death of the civil parishes of Stratfield Mortimer and Wokefield;

4.2 former residents of one of those parishes, but who died elsewhere, and who had lived in one of the parishes:

4.2.1 within the 5 years prior to death; or

4.2.2 for at least 20 years during their lifetime.

5 Other persons do not have a right of interment but may apply to be considered if there is documentary proof of a strong connection to one of the parishes.

Exclusive Right of Interment

6 All Plots require the purchase of an ERI.

7 When an ERI is purchased, the Council (in pursuance of the powers conferred by s.214, Local Government Act 1972 and the 1977 Order) will issue relevant documentation for the specified Plot to the ERI Holder.

8 The maximum number of Burials permitted in a Burial Plot is two. The Council may, at its sole option and without being required to give reasons, permit (or deny) the additional placing of Ashes within a Burial Plot.

9 The usual maximum number of Ashes that may be interred in a Cremation Plot is two, but the Council may, at its sole option and without being required to give reasons, increase that limit in special circumstances.

10 An ERI will be for an initial period of 75 years from the date of Interment.

11 At the end of the initial period the ERI Holder will be given the opportunity to purchase further years - if they choose not to do so, the rights to the Plot will revert to the Council.

12 An ERI Holder may transfer the ERI and consequent rights to a Plot to another person or persons via an ERI Transfer Form.

13 Where a sole ERI Holder dies, their Executors or Personal Representatives will need to contact the Parish Clerk in order to effect a transfer to a new ERI Holder (so ERI Holders are encouraged to identify their chosen successors in their will).

Application for ERI and Interment

14 For an Interment a Burial Certificate or a Coroner's Order, an Interment Application, and the requisite Fees, must be submitted to the Council at least five working days prior to the intended date of Interment together with:

14.1 for a first Burial or Interment of Ashes, an ERI Application; or

14.2 for a second Burial or Interment of Ashes in the designated Plot, the ERI.

15 In all cases, following submission of the relevant forms and Fees, the Funeral Director or other individual organising the Interment must contact the Parish Clerk within office hours (see Cemetery Pamphlet and Website) to arrange the date and time of the Interment, and to allocate (first Interment) or confirm (second Interment) the Plot number.

Interments

16 The permitted hours for Interment Ceremonies are 10:00 to 16:00, Monday to Friday, only.

17 The surplus soil excavated from any Grave must be deposited on such part of the Cemetery as the Council may direct.

18 Ashes may be interred in the area of the Cemetery set aside for this purpose in accordance with an ERI.

Memorials

19 A Memorial Permit must be obtained by an ERI Holder in order to do any of the following:

19.1 erect or site a Memorial;

19.2 fix or renovate a Memorial;

19.3 clean a Memorial other than with non-pressured water;

19.4 add to or change an inscription on a Memorial (including following a second Interment in accordance with an ERI); or

19.5 place a container (with or without an inscription) on a Grave in accordance with Regulation 23.

20 Any Memorial must comply with the Memorial Conditions.

21 Memorial Applications must be submitted to the Parish Clerk, including details of the proposed design, description, materials, measurements, inscriptions, etc of the Memorial.

22 Once a Memorial Permit has been obtained:

22.1 in relation to a Burial (including a second Interment into the Grave):

22.1.1 a Plot Marker may be erected at the head of the Plot following the Burial (to temporarily replace any Headstone in the case of a second Interment); and

22.1.2 that Plot Marker may be replaced by a Headstone (or an amended Headstone in the case of a second Interment) once the Council are satisfied that the Grave has settled (this will not normally be less than six calendar months following the Burial);

22.2 in relation to an Interment of Ashes (including a subsequent Interment into a Cremation Plot):

22.2.1 a Plot Marker may be erected on the Plot following the Interment; and

22.2.2 that Plot Marker may be replaced by a Cremation Plaque after a calendar month;

22.3 a Memorial Plaque may be attached to the Memorial Wall in the manner and location permitted by the Memorial Permit.

Commemorative Items other than Memorials

23 Other than Memorials erected or sited in accordance with these Regulations and wreaths, floral tributes and flowers in accordance with Regulation 24, the only item permitted on a Burial Plot where there is no Headstone is one non-breakable container for flowers, placed at the head of the Plot in line with adjoining Memorials (the Memorial Conditions relating to Headstones allow for such a container).

24 Wreaths or floral tributes left on a Plot, and fresh or artificial flowers placed in any permitted receptacle/container, should be removed once withered or dilapidated, and will be removed at the Council's discretion if the ERI Holder fails to do so.

25 Any container for flowers must be non-breakable and may not be made of glass, pottery or plastic.

26 For the avoidance of any doubt, the following are all prohibited at any time on any Plot:

26.1 the planting of flowers, bulbs, shrubs or trees on or in the Plot;

26.2 the covering of the Plot in artificial grass;

26.3 the placing of decorations such as artificial flowers (other than in accordance with Regulation 24), lanterns, photographs, ornaments or other items (but, for the avoidance of doubt, photographs and like images incorporated into a Headstone in accordance with the Memorial Conditions are permitted);

26.4 flat stones laid horizontally (see section on Memorials);

26.5 receptacles other than those in accordance with the Memorial Conditions or Regulation 23;

26.6 railings, fencing, kerbstones or other structures enclosing the Grave or Plot.

27 The Council reserves the right to remove and dispose of any prohibited items.

Graves and Maintenance

28 The Cemetery is a lawn cemetery, and:

28.1 each Grave mound will be levelled and grassed over by the Council after approximately six months following a Burial, once the Council is satisfied the Grave has settled;

28.2 the Council will sow grass seed or lay turf at its own expense over the whole of the Grave;

28.3 thereafter no person other than the duly authorised officers or employees of the Council shall interfere with or alter the grassed areas of the Grave except for the purpose of a further Interment therein (in accordance with an ERI and these Regulations);

28.4 the Council shall keep the grassed areas mown at its own expense;

28.5 the ERI Holder shall be responsible for cleaning and maintaining any Memorial (in accordance with Regulation 19 as necessary).

Cemetery Records

29 A plan of the Cemetery, showing the position of every Plot, is kept in the Parish Office and may be inspected, by arrangement with the Parish Clerk, without charge.

30 A search of the Register of Burials in the Cemetery can be conducted by the Parish Clerk upon request.

Safety

31 In the event of an accident, or if any visitor becomes aware of a hazardous situation (for example an unsafe Memorial) or incident (eg vandalism), the Parish Clerk should be contacted as soon as reasonably possible.

32 The Council reserves the right, in the interests of public safety and without notice to an ERI Holder, to lay down, remove or repair any Memorial or other item where such is deemed by the Council to be unsafe or to fail to comply with these Regulations - in such a case the ERI Holder will be informed as soon as practicable.

33 If any damage is caused to the Council's land (including, but not limited to, damage caused by vehicles or the bringing in of any materials), the person or persons doing such damage will be held responsible for the same.

34 Attention is drawn to article 18 of the 1977 Order which establishes certain criminal offences:

18 (1) No person shall—

(a) wilfully create any disturbance in a cemetery;

(b) commit any nuisance in a cemetery;

(c) wilfully interfere with any burial taking place in a cemetery;

(d) wilfully interfere with any grave or vault, any tombstone or other memorial, or any flowers or plants on any such matter; or

(e) play at any game or sport in a cemetery.

(2) 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 a cemetery at any hour when it is closed to the public.

INTRODUCTION

This pamphlet gives a brief overview of how we - Stratfield Mortimer Parish Council - run the Parish Council Cemetery and should be read in conjunction with the Cemetery Regulations ("the Regulations"). If there is any conflict between the Regulations and what is written here, the Regulations will prevail.

The Regulations, and the current Cemetery Fees, are available at www. stratfield-mortimer.gov.uk/what-we-do/cemetery.

The rules summarised in this pamphlet are intended to ensure that the Cemetery remains a peaceful and fitting setting for those who are interred, and to provide a place where friends and relatives can properly remember them - your observance and co-operation will help to ensure that these aims are achieved.

The Cemetery is open to pedestrians only. Dogs are allowed in the Cemetery provided that they are kept on a lead.

WHO CAN BE INTERRED IN THE CEMETERY?

Only those residents living in the parishes of Stratfield Mortimer or Wokefield at the time of death, or ex-residents who lived within either parish during the 5-year period prior to death and/or for at least 20 years, have an automatic right to be interred in the Cemetery (ex-residents being subject to a higher rate of fee).

In exceptional circumstances we may consider other interments (if permission is granted a higher rate of fee will apply).

The Cemetery is open to the interment of all, regardless of religion, ethnic origin or creed.

BUYING A NEW BURIAL OR CREMATION PLOT

When you purchase a burial or cremation plot, you do not actually buy the freehold of the land that the plot occupies – that remains in our ownership. What you are purchasing is a 75-year lease of the plot with an Exclusive Right of Interment ("ERI") relating to it - all plots are for a maximum of two burials or two interments of cremated ashes.

When you lease a plot, we will issue you with a Deed of Grant for the ERI - the Deed is proof of your ownership of the ERI and is a very important document to be kept safely (since you will be asked to produce it should you ask for a second interment to take place within the plot – fees apply).

At the end of the initial lease period you (or your successors – see below) will be given the opportunity to purchase further years. If you/they choose not to, the rights to the plot will revert to us and any memorial may be removed.

CREMATION PLOTS

A part of the Cemetery is set aside for cremation interments. Different fees apply, but all other rules are the same as for full burials. Ashes may not be scattered in the Cemetery.

MEMORIALS

The ERI also means that (in due course and upon payment of an additional fee) you may place a memorial on a grave or a cremation plaque on a cremation plot (provided that it conforms to the Regulations – see further below).

You may also purchase a right to place a plaque on the Memorial Wall commemorating the life of someone who is not interred in the Cemetery.

CAN I SELECT A PLOT?

Plots are allocated in strict sequential order only and cannot be reserved in advance.

ADJACENT BURIAL PLOTS

Please note that it may become necessary to excavate a grave next to your burial plot.

If so, we may need to place boards over your plot to protect it and you may not be able to visit your grave for a short while. Please be assured that this will only be necessary where there is no other option, and that your plot will be cleaned, tidied and returned to its usual condition as soon as the burial has taken place.

RESPONSIBILITIES OF BURIAL PLOT HOLDERS

As the holder of a burial plot, you are responsible for the safety and condition of any memorial on the grave - although we have responsibilities under Health and Safety legislation to ensure the safety of visitors and staff in the Cemetery, the responsibility for the safety of your individual memorial rests with you. If a memorial becomes dilapidated and/or unsafe we have the right to remove it or make it safe, and to recover the cost for any such work from the plot holder.

We undertake regular safety checks on all the memorials in the Cemetery. Where possible, the plot holder will be contacted if a memorial is found to be in need of work, and given the option of having the work done themselves, using a mason of their choice (see below), or paying the Council to do the work for them. If neither option is chosen, we retain the right to remove the danger presented by the memorial.

RECORDS

In order to keep our records up to date so that we may contact you if necessary, it is important that any changes of address is notified to us as soon as possible (please see below regarding new individuals – eg if someone inherits the ERI).

RESPONSIBILITIES OF THE COUNCIL

We will maintain the Cemetery to a decent standard by sowing grass seed, cutting the grass regularly and ensuring that the ground level it is topped up and levelled if it should sink.

We will also carry out periodic testing of the stability of any memorial on each grave, and will contact plot holders if there are any problems (but, as stated above, we are not responsible for the maintenance of individual memorials).

TRANSFER OF RIGHTS

Plot holders can choose to transfer the rights to a plot and ERI to another person, but this must be done using a form available from the Parish Clerk (and subject to an administration charge).

Where a plot holder dies their Executors or Personal Representatives will need to contact the Parish Clerk in order to effect a transfer to a new holder (so, if you are a plot holder, you should identify your chosen successors in your will).

BURIAL MEMORIALS

Memorials (headstones) on graves must be of good quality, hard-wearing materials and must be approved by us before being fixed.

Full guidance is given in the Regulations, but in brief only those memorial masons that are BRAMM (British Register of Accredited Memorial Masons) accredited will be allowed to undertake work in the Cemetery. More information is available from the Parish Clerk.

FLOWERS AND OTHER TRIBUTES

We require cooperation in keeping the grassed area of graves and cremation plots free of pots, plants and other artefacts - so that the grass can be cut using mowers without causing damage or risking injury to the operator and visitors.

You may wish to leave tributes. Again, the Regulations give full guidance, but we allow flowers and plants to be placed at the head of the grave where they are at less risk of damage by mowing.

Vases/pots must be made from a non-breakable material such as metal or stone, and not from glass/ceramic/plastic which might shatter during freezing weather - broken shards present a danger to visitors, staff and wildlife in the Cemetery.

Please think carefully about your choice of container and seek advice from the Parish Clerk if necessary.

Please note that if you place any articles along the length of the grave we will not be able to cut the grass and the grave will look untidy compared to those around it - we reserve the right to remove such articles and dispose of them.

THE REGULATIONS

The Cemetery is a community asset, and all plot holders and other users must comply with the Regulations (for example in relation to what may or may not be placed on a grave).

Stratfield Mortimer Parish Council

CEMETERY INFORMATION

Parish Council Cemetery
Church Lane
Mortimer
RG7 3NX

Cemetery opening times

All day, every day*

Contact details

The Parish Clerk
Stratfield Mortimer Parish Council
27 Victoria Road
Mortimer
RG7 3SH

07436 807543

the.clerk@stratfield-mortimer.gov.uk

(for Parish Office opening hours please see www.stratfield-mortimer.gov.uk)

*unless closed for maintenance, health and safety reasons, etc