



Burial Rights - cemeteries rules and regulations governing memorials

Administration Rules

1. The administration of burials is under the control of the Council Secretary and Solicitor located at the Council Offices, 52 Derby Street, Ormskirk L39 2DF.
2. The office is open from Monday to Friday during the hours of 9.00m to 5.00pm and is closed on Good Friday, Christmas Day and Bank Holidays. (Notice of administrative arrangements for Christmas and New Year holiday periods will be issued on an annual basis).
3. An application form appertaining to interments is provided by the Council and must be completed in full before being returned to the address given at the top of the form.
4. At least two clear working days' notice, excluding Saturday, Sunday, Good Friday, Christmas Day, Bank Holidays and the day following a Bank Holiday must be given in respect of an interment. (This rule may be relaxed in the case of death certified to be due to an epidemic disease).

Provisional arrangements (including the dimensions of the coffin/casket) should be made by phoning 01695 577177 ext 5014 and must be confirmed by the submission of the appropriate application form and relevant fee.

5. Exact details of the length, width and depth of the coffin/casket must be stated on the application form. **An additional charge (prescribed in the Scale of Fees in force at that time) will be made for any extra work which may be necessary as a result of such details being quoted incorrectly on the application form.**
6. When a notice of interment has been given, any alteration of arrangements will only be permitted at the discretion of the Council and providing that payment is made of an amount to be fixed by the Council in respect of any work which may have already been executed, and any other expenses which may have been incurred.
7. All receipted accounts in respect of fees paid to the Council will be forwarded to the client as soon as possible.

8. The fees charged by the Council include everything connected with the specified terms and no Officer or servant of the Council is allowed to receive any gratuity whatsoever.

Rights of purchaser/owner of a grave or ashes plot

1. The purchaser of a new grave/ashes plot will be furnished with a Deed of the same and will be informed when the Deed is available for collection. It is the responsibility of the purchaser to collect and sign for the Deed at the Council Offices.
2. Subject to compliance with the other requirements of these Regulations, no authority is required for the interment in any grave/ashes plot of the registered owner.
3. The registered owner shall not have the power to assign the right of burial without the Council's consent except by Will or by means of a written assignment as referred to in 5 below.
4. Any person succeeding under a Will or Intestacy will be furnished with a Certificate of Ownership on production of a Grant of Probate or Letters of Administration, together with the payment prescribed in the Scale of Fees in force at that time, for the cost of the Certificate.
5. The registered owner of a Right of Burial who wishes to assign his right may do so by means of a Deed of Assignment in a form prescribed by the Council. Until such assignment has been submitted to and registered by the Council, the assignee shall not be entitled to exercise any rights under the Deed.
6. No grave or ashes plot to which the right of burial has been purchased shall be opened unless the Deed Certificate is produced (except where Regulation 2 applies) together, if necessary, with the registered owner's consent in writing.
7. Upon the death of the registered owner of the grave/ashes plot, the person claiming the title to the right of burial must produce satisfactory evidence of title before any grave/ashes plot is opened otherwise than in accordance with Rules 2, 4 and 5 above.

Cemeteries rules

1. Only one funeral will be allowed in the Cemetery at any one time, except with the consent of all the parties concerned.
2. All funerals must take place between the hours of 9.00am and 3.00pm Tuesday to Thursday and 9am to 10.30am on Friday.

During December, January and February the latest time for funerals to take place (except Friday) will be 2.30pm.

Exceptions to this may be allowed at the discretion of the Council and at an additional charge as prescribed in the Scale of Fees in force at that time. (Notice of arrangements for Christmas and New Year holiday periods will be issued on an annual basis).

3. No funerals will be allowed on Saturdays, Sundays, Mondays, Good Friday, Christmas Day, Bank Holidays or the day following a Bank Holiday.
4. Persons in charge of military or other large funerals must make prior arrangements with the Council.
5. The time fixed for a funeral is that at which the procession is due at the cemetery and such times must be strictly observed. In the event of a funeral arriving late, the funeral must wait as and where directed by the Council's representative until it is convenient for the funeral to proceed.
6. Smoking is prohibited within the Cemetery when funerals are in progress.
7. No vehicles including motorcycles are allowed within the grounds of the Cemetery.
8. Bicycles must be left at the entrance and must not be used within the grounds of the Cemetery.
9. Dogs are not permitted within the grounds of the Cemetery, except for Guide Dogs.
10. Children under the age of 12 years are not allowed in the Cemetery unless accompanied by an adult.
11. No person shall canvass or solicit orders within the grounds of the Cemetery.
12. Visitors are requested to keep to the footpaths and walkways and not to walk across the graves or to damage the shrubs or flowers.
13. Hewing of stones is not permitted within the grounds of the Cemetery.
14. The fixing of a headstone or tablet is not allowed on Sundays. No incidental work will be permitted outside the hours of 8.30 a.m. to 5.30 p.m. Monday to Saturday inclusive.
15. No work shall be carried out in the Cemetery except by persons employed or approved by the Council. Authorised persons working in

the Cemetery do so on the condition that they will indemnify the Council against any damage to graves, ashes plots, surrounds, headstones, tablets, Council property etc., caused by them.

Regulations governing graves and ashes plots

1. The facility to purchase a grave space/ashes plot in advance is not available and the grave spaces/ashes plots will be allotted by the Council in such order as the Council may determine.
2. The facility for interment of still-born babies over 24 weeks gestation in the baby garden (which is a public grave) is available free of charge to residents.
3. Other public grave spaces are available upon payment of the fee prescribed in the Scale of Fees in force at the time.
4. Coffins/Caskets must be made of an appropriate material.
5. No work shall be carried out in any grave/ashes plot except by persons employed or approved by the Council.
6. Each grave space/ashes plot will be turfed and as soon as practicable after an interment, the surface soil and turf will be made good and finished level with the surrounding ground.
7. The Council reserves the right to remove any headstone/tablet when such removal is deemed necessary for carrying out the work of interment. The Council will replace any such headstone/tablet so removed and make good any damage which may be done in such removal.
8. Where no headstone has been erected or tablet fixed, one vase only is permitted on the grave/ashes plot.
9. Planting of trees, flowers or shrubs in grave spaces and ashes plots other than by the Council, is not permitted.

Graves only

10. Where an exclusive right has been purchased in respect of a four person grave and the final interment in that grave is less than 3 feet (914 mm) below the surface, the grave will be sealed with flagstones by the Council at no extra charge.

Regulations governing headstones/tablets

1. No headstone/tablet or inscription thereon will be permitted without the consent of the registered owner of the grave.

2. Application forms for permission to erect a headstone or fix a headstone/tablet are provided by the Council and must be submitted to the Council, together with the appropriate fee, for approval.
3. All applications must show the design, dimensions, material to be used and details of any inscription to be included. Details of any additional inscriptions must also be submitted to the Council for approval.
- 4.1 All **headstones** must be:
 - (a) Between 2 feet 3 inches and 3 feet in height above ground level.
 - (b) Not more than 3 feet in width.
 - (c) Not more than 15 inches in depth, including the base and vase space.
 - (d) Not less than 3 inches or more than 6 inches in thickness.
- 4.2 All **tablets** must be:
 - (a) 18 inches long by 12 inches wide.
 - (b) Not more than 6 inches in height above ground level.
5. Border stones or any other form of edging is not permitted.
6. Any vases must be placed within the design of the headstone/tablet and not displayed as a separate unit.
7. Headstones must be erected and tablets fixed in line with adjacent headstones/tablets in accordance with the directions given by the Council's authorised Officer.
8. Headstone/tablets must be properly secured and any foundations must be level with the surrounding ground.
9. Headstones/tablets must be conveyed into the Cemetery, fixed and removed at the expense of the registered owner of the grave/ashes plot.
10. Headstones erected or tablets fixed remain so at the registered owner's sole risk. The Council will not be held responsible for any damage or breakage which may occur to a headstone/tablet, except under Regulation 15 below.
11. Headstones/tablets must be kept in good repair by the registered owner of the grave/ashes plot. Notice will be sent to the registered owner in the case of any repair being required. After two months in default, the Council will proceed to either repair, or arrange for removal of the headstone/tablet, at the cost of the registered owner of the grave/ashes plot.

12. Work carried out in relation to headstones/tablets must proceed continuously and must be completed without unnecessary delay. This applies in particular to headstones/tablets awaiting re-fixing following remedial work or additional inscriptions carried out by the Stonemason. (The reinstatement of a grave/ashes plot for such work is the responsibility of the Stonemason concerned).
13. Any damage occurring to property within the curtilage of the Cemetery whilst conveying materials for the erection of a headstone/fixing of a tablet is the responsibility of the Stonemason undertaking such work and must be put right at the expense of the Stonemason concerned.
14. Any headstone erected/tablet fixed which contravenes these Regulations may be removed at any time by the Council without notice and at the expense of the person responsible for the erection of the headstone/fixing of the tablet.
15. The Council reserves the right to remove any headstone/tablet when such removal is deemed necessary for carrying out the work of interment. The Council will replace any such headstone/tablet so removed and make good any damage which may be done in such removal.

General

The Council reserves the right to make alterations, additions and amendments to the foregoing Regulation as the Council deems to be appropriate.

The Regulations governing burials and cemeteries were adopted at a meeting of the Development and Amenities Committee held on the 19th October, 1993 and approved by the Council at their meeting held on the 17th November, 1993.