



## **Tavistock Cemetery Rules and Regulations**

Tavistock Town Council welcomes all visitors to our cemeteries in Tavistock and asks that visitors respect the peace and dignity of our facilities as well as other users. These are communal spaces for quiet reflection and remembering our loved ones. We thank you in advance for your consideration.

Please make yourself familiar with the Regulations and ask a member of Council staff if there is any aspect you require further clarification on. Through the Rules and Regulations we aim to provide a balance between individual rights and information and the need to regulate for a safe, tidy and dignified environment with respect for the bereaved, visitors to the cemetery as well as its historic character.

These Regulations have been approved by the Cemeteries Sub-Committee on behalf of Tavistock Town Council in respect of the Local Authorities Cemeteries' Order (LACO) 1977 and became effective on 1<sup>st</sup> May 2005 and subsequently updated as required. Copies may be obtained from the Cemetery Office and the Town Council offices, Drake Road, Tavistock, PL19 0AU..

The Council has adopted the principles of the Charter for the Bereaved and is committed to giving the individual the rights that are provided by the Charter. For further information please contact the Town Council or visit the Institute for Cemetery and Crematorium Management (ICCM) website at <http://www.iccm-uk.com>

Tavistock Town Council is committed to providing excellent customer care and maintenance standards. Our professional, committed and dedicated staff are more than pleased to help visitors to the cemetery, you need only ask.

### **1. Hours of Opening**

The Cemetery will be open to the public daily throughout the year from dawn to dusk however please be aware that at certain times access to individual graves may be restricted, for instance when an adjacent grave is being dug. Any disturbance will be kept to a minimum. Tavistock Town Council reserves the right to close all or part of the cemetery at any time and without prior notice if in the interest of public safety. Such closures will be published on the notice board situated in the entrance to the cemetery.

### **2. Office Hours**

The Cemetery Office is located on the left hand side as you enter the cemetery it is open by appointment between 9.00 a.m. and 4.00p.m. Monday to Friday.



Appointments can be made by calling 01822 616134 or alternatively via email to [cemeteryoffice@tavistock.gov.uk](mailto:cemeteryoffice@tavistock.gov.uk)

### 3. Hours of Interment

a) Interments may only take place during the following times:

**Monday to Friday 10am until 4pm**

b) The time arranged for the interment commences at the graveside. If there is to be a service before the interment, sufficient time should be allowed for its duration and the journey to the Cemetery.

c) Only under exceptional circumstances will interments take place on weekends and Public Holidays. If an immediate interment is necessary, the certificate of a coroner or registered medical practitioner will be required with the additional appropriate fee.

### 4. Notice of Interment

a) A provisional telephone or email booking followed by a written Notice of Interment form, provided by the Town Council, must be submitted to the Town Council at least 4 working days prior to an interment (exclusive of weekends, Public Holidays and the day of interment itself), except when an immediate interment under exceptional circumstances is required. **All information provided must be clear and complete on the Notice of Interment form in order to avoid delays or errors on the day of interment.**

b) The certificate of burial or cremation or the Coroner's Order for Burial and the appropriate fee must be submitted with the Notice of Interment form.

### 5. Fees

The list of burial charges is available from the Cemetery Office, the Town Council and by visiting <https://www.tavistock.gov.uk/council-services/cemetery>. All fees and charges must be paid upon submitting the Notice of Internment. Fees are payable either via BACS or by cheque, made payable to Tavistock Town Council. Receipts for all payments will be given to the account holder.

### 6. Grave Spaces

a) The depth of every grave is controlled by the Town Council. No grave shall be deepened after the first interment. All coffins or other receptacles are interred in accordance with Part 1 Schedule 2 of the Local Authorities Cemetery Order (LACO), 1977.

b) No grave shall be excavated until verified and marked by a member of Town Council staff. Contracted grave excavators organised by funeral directors



shall adhere to the Town Council's Code of Safe Working Practice which is available from the Cemetery Office or via the Town Council's website. Funeral directors must notify the Town Council of all arranged grave excavating.

### **7. Grave Rights**

A Grant of Exclusive Right of Burial (EROB) may be purchased at any time. An Exclusive Right of Burial is currently granted for a period not exceeding 100 years from the date of purchase.

The Exclusive Right of Burial can be issued in the names of up to four people.

A deed for the EROB will be issued to the purchaser/s of the grave upon payment of the appropriate fee. The Town Council's records contain the details of the registered grave owners, however it is important that the grave owners keep safe their Exclusive Right of Burial deed. Possession of the deed does not in its self signify ownership of the Exclusive Rights.

When an interment is not that of the deed holder, consent in writing from the deed holder(s) is required on the Notice of Internment form prior to the interment taking place.

Ownership of the Exclusive Right of Burial can be transferred either during the owner's lifetime or after their death.

Transfer of the Exclusive Right of Burial from the living owner(s) to another individual(s) is done so upon completion of an Assignment Form.

The Exclusive Right of Burial may be transferred on the death of the registered owner to the person or persons entitled to it. In order to establish grave ownership the person or persons wishing to take up ownership must be able to produce a Grant of Probate or Letters of Administration. If these legal documents have not been applied or issued then ownership may be transferred to the executor by Statutory Declaration.

A transferred Exclusive Right of Burial is only valid if it has been registered and acknowledged by the Town Council.

Where no Exclusive Right of Burial exists the Town Council has the right to re-use unpurchased graves, that have sufficient depth, for further interments.

### **8. Funerals**

The conduct of all funerals within the Cemetery is subject to the control of the Town Council.

Subject to special provisions for the Green Burial Area, coffins made from wood, wicker, cane, cardboard or biodegradable caskets, shrouds and urns are



accepted unless otherwise stated by the Town Council. Non standard coffins may incur an additional fee

After the interment the grave will be backfilled to the level of adjoining ground and any floral tributes will be respectfully placed on the grave.

The Town Council reserves the right to place soil on the graves next to those which are being opened without any prior notice. The soil will be removed immediately after the interment and the grave will be left as it was previously. Any work completed will be done so in a respectful and sensitive manner.

### **9. Cremated Remains**

Scattering of ashes is not permitted in the Cemetery. Please do not scatter ashes or attempt to bury them yourself. Cremated remains left at a graveside or scattered without consent will be removed without notice.

### **10. Exhumation**

Once human remains or ashes have been interred, they can only be removed with the permission of the Town Council and a licence granted by the Secretary of State. Consecrated burial ground subject to the Church of England's jurisdiction requires consent from the Church of England (a faculty or the approval of a proposal under the Care of Cathedrals Measure 2011). Any disturbance of remains is deemed to be an exhumation.

### **11. Memorials**

- a) No memorial of any description may be placed on unpurchased graves.
- b) Only the deed holder/s or someone with written permission from the deed holder/s (when acting on their behalf) may place a memorial on a grave.
- c) No memorial may be placed on a grave without the approval of the Town Council
- d) An Application for a Permit to Undertake Monumental Work will only be accepted from members of the Monumental Masons Registration Scheme operated by the Town Council. The appropriate fee shall be submitted with the application form.
- e) Only approved monumental masons are permitted to carry out work in Tavistock Town Council cemeteries.
- f) Memorials may not be placed on burial plots for 12 months from the date of interment. This is to allow the earth to settle and prevent possible damage to memorials. The cremated remains section is exempt from the 12-month waiting period.



- g) Temporary memorials may be placed on graves until a permanent memorial is placed or for a maximum of 12 months from the date of interment. There is no fee required. Permission to place a temporary memorial must be given by the Town Council.
- h) Any unauthorised memorials placed on graves shall be removed in accordance with Article 14 of the Local Authorities Cemetery Order (LACO), 1977.
- i) All new memorials must have the corresponding grave space number and the name of the monumental mason placed conspicuously on the reverse of the memorial.
- j) Kerbstones or border stones are not permitted in the new section of the Cemetery.
- k) When digging graves in certain areas of the Cemetery we may need to respectfully move memorials and flowers from surrounding graves, without notice, to make room for equipment. We will replace memorials in their correct position as soon as possible after the burial.

There is a Book of Remembrance located in the Cemetery Waiting Room for those wishing to record a memorial. The Town Council operates a Memorial Bench scheme to commemorate loved ones (with the agreement of the landowner). If you would like further information please contact the Town Council or visit <https://www.tavistock.gov.uk/council-services/works-department/benches>.

## 12. Maintenance

It is the responsibility of the grave owner to maintain the grave and memorial. Should it become dilapidated or unkempt through neglect, the Town Council will take appropriate action in accordance with Article 16 (2) of Local Authorities Cemetery Order (LACO), 1977. This could mean the removal of the memorial.

## 13. Records

The location of individual graves is recorded on the Cemetery plans, and in the Register of Burials in accordance with the Registration of Burials Act 1864, Births and Deaths Registration Act 1926 and 1953, Registration of Births and Deaths Regulations 1987. The records are available to view by appointment.

## 14. General Regulations

- a) All visitors to the Cemetery must give due consideration and respect to other ceremonies and services that may be taking place at the time of their visit.
- b) Grave owners must keep the Cemetery advised of any change of address in writing, such notice to be signed by the registered owner.



- c) No visitor shall enter or leave the Cemetery other than by the main gate in Plymouth Road. No private access from adjoining properties, areas or roads is permitted. Entry is not permitted outside opening hours, except by permission of the Town Council.
- d) The entrance to the cemetery shall be kept clear at all times to allow the entry and exit of emergency vehicles, funerals, contractors and visitors.
- e) All vehicles entering the cemetery must adhere to the one-way system. Parking, stopping or turning on grassed areas is strictly prohibited.
- f) Vehicle speed is restricted to 5mph.
- g) For their own safety children under the age of 12 are not permitted to visit the Cemetery unless accompanied by a responsible adult. Children must be supervised at all times.
- h) Bicycles, skate boards or similar equipment may not be ridden in the Cemetery.
- i) Visitors shall not sit, stand or climb on any memorial, gate, fence, wall or building in the Cemetery. Visitors should stay well clear of any monuments marked with fluorescent tape as they may be unstable.
- j) Dogs are only permitted with permission from the Town Council.
- k) The dressing of graves is not permitted. This includes scarves, ribbons, toys, ornaments, tinsel etc. Any such items found on a grave will be removed and disposed of by Town Council staff.
- l) No astro-turf, vase, planter or pot plant may be placed on a memorial, without the permission of the Town Council, or which interferes with the maintenance and upkeep of the Cemetery.
- m) Glass containers are not permitted because they pose a risk of injury to staff and visitors when accidentally damaged or broken. Any such items found will be removed and disposed of by Town Council staff without notice.
- n) The planting of seeds, bulbs, plants and shrubs around memorials or on graves not surrounded by a kerb is not permitted. Any such items shall be removed by Town Council staff and disposed of or re-planted in designated planting areas.
- o) Tavistock Town Council reserves the right to remove flowers placed on graves as part of routine care and maintenance. When funeral flowers and wreaths become unsightly graves, they will be removed for disposal. To



avoid undue distress, bereaved family members who wish to retain wreaths or the attached memorial cards are advised to remove these during the third week after the burial service.

- p) All Christmas wreaths will be removed by Town Council staff for disposal during the last week of January. Bereaved family members who wish to retain wreaths or the attached memorial cards are advised to remove these prior to the above date to avoid any undue distress.
- q) All other floral tributes should be maintained by those visiting graves.
- r) Photography is allowed for personal use only. However, whether for personal use or otherwise, permission must be obtained in advance from the Town Council.
- s) The Council shall not be liable for personal property brought into the Cemetery or for any damage or loss of memorials or memorabilia.
- t) No alcohol is to be consumed within the Cemetery grounds, without prior written consent from the Town Council.
- u) Visitors shall not interfere with Town Council employees working in the Cemetery, nor employ them to execute any private work whatsoever. Employees are not permitted to accept gratuities.
- v) Those visiting or carrying out work in the Cemetery are required to follow these Rules and Regulations and any instruction given by Town Council staff.

### **15. Offences**

In accordance with Article 18 of Local Authorities Cemetery Order, 1977 it is an offence to:

- 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, vault, tombstone or other memorial, or any plants or flowers.
- e) Play any game or sport in a cemetery.
- f) Enter the cemetery when closed to the public unless authorised to do so by a member of Town Council staff.

Tavistock Town Council reserves the right to update and amend these Rules and Regulations as and when deemed appropriate. Significant changes to the policy will be communicated as soon as reasonably practicable.

The Town Council can assist or advise on queries relating to the Cemetery. Please contact:

# Tavistock Town Council



**Tavistock Town Council -*Working for the local community***

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