

**ROTHER  
DISTRICT COUNCIL  
CEMETERY  
REGULATIONS**





## **DEFINITIONS**

1. Throughout these Regulations the term “ordinary grave” shall mean a grave in which no exclusive right of burial has been purchased.
2. The term “private grave” shall mean an earthen grave in which the exclusive right of burial has been purchased.
3. The term “Council” shall mean the Chairman and Councillors of the Rother District Council acting as the Council.
4. The term “Proper Officer” shall mean the Proper Officer of the said District Council or his appointed representative.
5. The term “Cemeteries” shall mean all cemeteries owned and administered by Rother District Council, viz Bexhill Cemetery and Rye Cemetery and any other cemetery at any time taken into use by Rother District Council.

## **OFFICE TIMES**

6. With the exception of statutory holidays the Rother District Council Cemeteries Office situated at Town Hall, Bexhill-on-Sea, East Sussex, TN39 3JW (01424 787523) shall be open from Mondays to Fridays inclusive between the hours of 8.30 am to 1pm and 2pm to 5.00 pm (4.30 pm on Fridays) when a Cemetery plan will be open to inspection and notices of interment may be given by prior arrangement only. The Council may at its discretion provide the services from a different office.

## **TIMES OF BURIAL**

7. From Mondays to Thursdays inclusive interment of coffins and cremated remains shall take place between the hours of 9.00am and 3.00pm (2.30pm between beginning of December and end of February) only. On Fridays between the hours of 9.00am and 2.00pm only. Such times may be changed at the discretion of the Council.
8. No interment shall take place on Saturday except in case of urgency, confirmed by a medical certificate or Coroner's order.
9. No interment shall take place on any Sunday or Public Holiday.

## **NOTICE PERIODS**

10. Notices of interment, accompanied by notification of burial, coroner's order or certificates of cremation, shall be delivered to the Cemeteries Office at least two full working days previous to any interment, provided that in reckoning such period of notice, Saturdays, Sundays and Public Holidays shall be excluded. This rule does not apply to interments required to take place immediately under medical certificate or Coroner's order, or in case of emergency.
11. Notice must be given on the Council's standard notice of interment form.
12. If a completed notice of interment form is not delivered by the required time the Proper Officer reserves the right to postpone the interment.

## **PAYMENT OF FEES**

13. Annual grave maintenance fees in respect of Bexhill Cemetery shall be paid to the Council's Head of Finance at the Town Hall, Bexhill. All other Cemeteries fees and charges shall be paid to the Cemeteries Office. The fee for interment shall accompany the notice of interment.

## **NOTICE CONDITIONS**

14. Every notice of interment shall be properly completed and shall contain the following information: -
  1. the full name of the deceased;
  2. description i.e. married, single, widow, widower or minor;
  3. the date of death;
  4. the date of birth;
  5. age last birthday;
  6. the usual residence of the deceased;
  7. the former residence (if period at usual residence is less than 12 months);
  8. the address at which death occurred;
  9. the name of the Minister proposing to officiate;
  10. where the service is to be held:

11. the day and hour at which it is requested that the burial shall take place;
  12. whether it is a new private, ordinary or re-open grave; the portion of the Cemetery required (that is to say whether consecrated, unconsecrated or Roman Catholic); whether the grave is in the lawn or the traditional section;
  13. identifying number of the grave; the depth of the grave;
  14. the measurements of the coffin;
  15. the measurement of the casket or urn;
  16. in the case of a private grave, the full name and address of the original purchaser or current owner; in the case of an ordinary grave the ordinary grave section of the notice of interment must be completed by the next of kin or personal representatives
15. On application being made for the re-opening of a private grave for interment, the grant of exclusive right of burial must be produced with the application. If for any reason the grant cannot be produced, the applicant shall provide the Proper Officer with such information and such evidence of his or her authority as the Proper Officer shall demand and shall indemnify the Council, its servants and agents, against any claim which may arise from the acceptance of such application by the Proper Officer.  
(See also Transfer of Rights)

### **GENERAL CONDITIONS**

16. No burial shall take place, no cremated remains shall be scattered and no tombstone or other memorial shall be placed in the cemetery, and no additional inscription shall be made on a tombstone or other memorial, without the permission of the Proper Officer.
17. Only one interment may take place at any appointed time. Priority shall be determined by receipt of a properly completed notice of interment.
18. Any orders or instructions given to Council staff by telephone will be executed at the sole risk of the person giving such orders or instructions, and the Council will not be responsible for any misunderstanding that may arise with regard to orders or instructions given by the telephone.

19. Any memorial of unauthorised material, any planted tree or shrub, plants or any memorial or object placed without permission of the Proper Officer and contrary to the Cemetery Regulations will be removed from the grave space by the Council after 14 days notice in writing has been sent by recorded delivery post to the registered owner at the last registered address. The cost of removal of such items will be recovered before they are returned.
20. No vehicle or truck shall be allowed to remain within the Cemetery longer than is reasonably necessary for loading or unloading and in no circumstances shall any vehicle or truck be driven off the roads.
21. The grave spaces, monuments, roads, paths, buildings etc and the whole surface of the burial ground shall be kept in a proper state of neatness. Nothing offensive to public decorum shall be permitted within the Cemetery.
22. Children will not be admitted except when accompanied by a responsible person.
23. All visitors are requested to keep to the roads or footpaths except whilst visiting a grave and to observe proper decorum in all respects.
24. No dogs will be allowed within the Cemetery with the exception of the public footpath at Rye cemetery, where dogs must be kept on a lead at all times.
25. No musical instruments or electronic musical equipment can be used in the cemetery without the permission of the proper officer. Mobile telephones should not be used within the hearing of any service or interment. No flags or banners shall be taken inside the Cemetery without the permission of the proper officer.
26. All visitors to the Cemetery shall respect the solemnity and dignity of all ceremonies conducted in the Cemetery. Vehicles shall not be parked so as to interfere with or impede such ceremonies and all work on adjacent graves shall cease during the period of any ceremony. Visitors are requested to remain a respectful distance from any ceremonies in which they are not participating.

## **PLOT RESERVATIONS**

27. A burial space may be reserved, on payment of a fee, for a period of five years. This reservation is renewable on request and payment of the appropriate fee. Should the request not be renewed by 30 May ending each period the space will become available to others. This option is not available in the Garden of Remembrance.

## **EXCLUSIVE RIGHTS OF BURIAL**

28. The exclusive right of burial, for a period of 50 years, is available for purchase during the period of arranging an interment, whereby the date and time for interment has been supplied to the Cemeteries Office.

## **EXCLUSIVE RIGHT TO ERECT AND MAINTAIN A MEMORIAL**

29. The exclusive right to erect a memorial is available for purchase subject to a certificate of compliance to the National Association of Memorial Masons Code of Working Practice, being issued to the grave owner and a copy maintained by Rother District Council. The guarantee of safety issued by the memorial mason shall be for a minimum of 10 years and must cover all elements contained in the National Association of Memorial Masons Code of Working Practice, including the guarantee that all the joints withstand 350 Newtons (circa 35kg) of force during the inspection process.

## **TRANSFER OF EXCLUSIVE RIGHTS**

30. A transfer of the Exclusive Rights of Burial and/or the Exclusive Right to Erect and Maintain a Memorial can be legally effected on the production of one of the following:-
  - a) A Form of Assignment signed by the owner of the Exclusive Rights to transfer or change ownership.
  - b) Grant of Probate

- c) Letters of Administration.
- d) Statutory Declaration witnessed in the presence of a Magistrate or Commissioner of Oaths made by the relative claiming the rights and completed on the appropriate form available from the Cemetery Office.

### **SELECTION OF GRAVE SPACE**

- 31. The selection of the site of any grave space shall be subject to the approval of the Proper Officer or his representative.

### **CONDITIONS OF BURIAL**

- 32. No body shall be buried in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave.
- 33. No body shall be buried in the grave unless the coffin is effectively separated from any coffin interred in a grave on a previous occasion by means of a layer of earth not less than 15cm (6").
- 34. No interment shall take place in an ordinary or private grave otherwise than in a wooden coffin, urn or casket, or other suitable organic material as agreed by the Proper Officer.
- 35. The burial of cremated remains within a grave space which is or may be intended for the future interment of a coffin shall take place within the confines of the grave space but outside that area normally required for such coffin interment viz. at the extreme head or foot corners of the grave space. Once cremated remains have been interred within the area normally required for a coffin interment, no such coffin interment will be permitted except with permission of the Proper Officer.
- 36. Scattering of ashes is only permitted in the designated woodland area provided for that purpose, and no memorial is allowed in that area. An entry can be made in the Book of Remembrance and/or a memorial tablet or kerb plaque can be set in a designated area of the cemetery.
- 37. All coffins, urns and caskets interred must be inscribed with the deceased's name and date of death for visual inspection.



## **CHAPEL**

38. Interments shall not be allowed in the Chapel.
39. The Proper Officer shall have power to exclude from the Chapel the body of any person who shall have died from an infectious disease or a corpse that is in his opinion in an offensive condition.



## **CEMETERY SECTIONS**

### **GENERAL CONDITIONS**

40. No brick graves or vaults shall be allowed.
41. No mounds shall be formed on graves by the owner or the family of the deceased (Some spaces may have temporary mounds formed by cemetery staff for maintenance purposes).
42. The planting of trees shall not be permitted.
43. Floral tributes shall be allowed to remain on the grave for a maximum period of two weeks.
44. Glass jars; glass bottles, glass vases or any other item made of glass shall not be permitted.

45. Any embellishments are subject to the approval of the Proper Officer who reserves the right to remove the same.
46. The placing of ornaments, figurines and plaster plaques shall be permitted but shall not exceed four in number and must be securely fixed to a headstone base. Broken or damaged artificial wreaths, ornaments, figurines and plaster plaques shall not be allowed to remain on the grave and will be removed by the Proper Officer after notifying the owner of the Exclusive Right.

### **LAWN SECTIONS**

***These sections provide full size and small cremated remains graves set in a lawn with no mounds or surrounds to allow for a level, low maintenance surface which presents a uniform appearance. The registered owner of a grave can request a headstone to be erected at the head of the grave in the head border provided. Small shrubs and flowers can be planted in the head border but must not exceed the height of the headstone or encroach on adjoining plots. The following regulations are specific to Lawn Sections: -***

47. Lawn Section plots shall be 2.74m (9') x 1.22m (4').
48. Cremated remains lawn section plots at Bexhill and Rye Cemetery shall be 1.37m (4'6") x 0.61m (2').
49. Small shrubs and a flower bed may be planted but only within the confines of the head border which measures 0.61m (2') x 1.22m (4') at the head of a plot on full size grave spaces and 0.31m (1') x 0.61m (2') on cremated remains grave spaces. All shrubs shall be kept under control by trimming so that they do not exceed the size of the head border or encroach onto adjoining plots or permanently exceed the height of the memorial.
50. There shall be no vases or planting permitted on the turf surfaces or areas waiting to be turfed.
51. No fencing or enclosures shall be permitted on or near any part of a grave space except with the prior approval of the Proper Officer.

52. The covering of any part of a grave space with shingle, stone chippings, pebbles or mulch or any other materials shall not be permitted.
53. The placing of toys, soft toys, balloons, wind chimes and windmills of any material, on a grave space, will only be permitted for a period of up to one month after the interment, at the end of which time they will be removed.

### **TRADITIONAL SECTIONS**

***These sections provide full size graves for purchase with less restriction on memorial type and size than on lawn sections. There are no new plots available in this section in Bexhill Cemetery. The following regulations are specific to Traditional Sections: -***

54. Traditional section plots shall be either 2.74m (9') x 1.22m (4') or 2.13m (7') x 91cm (3') depending on the location of section.
55. The planting of small shrubs and flowers is permitted within the confines of a grave space. All shrubs shall be kept under control by trimming so that they do not exceed the size of the grave space or encroach onto adjoining plots.
56. No fencing or enclosures made from any material shall be permitted on any part of a grave space apart from approved kerbing.
57. The placing of toys, soft toys, balloons, wind chimes and windmills of any material, on any grave space, will only be permitted for a period of up to one month after the interment, at the end of which time they will be removed.

### **BABY & INFANT SECTION (BEXHILL CEMETERY)**

***This section provides earth burial or interment of the cremated remains of children aged seven years or under only. The cremated remains of their parents, brothers or sisters may also be interred at the discretion of the Proper Officer. The following regulations are specific to the Baby & Infant's Section.***

58. Baby & Infant's section plots at Bexhill Cemetery shall be 1.37m (4'6") x 0.61m (2').

59. The planting of small shrubs and flowers is permitted within the confines of a grave space. All planted shrubs shall be kept under control by trimming so that they do not exceed the size of the head border or encroach onto adjoining plots.
60. A low fence, maximum height 150mm is permitted, subject to the material being approved by the Proper Officer and is limited to the size of the grave space. Due to the lack of space, kerbing will not be allowed on this section.
61. The placing of toys, soft toys, balloons, wind chimes and windmills of any material, on a grave, is permitted subject to the approval of the Proper Officer, the period of time for display will be dependant on the type of toy.
62. The covering of any part of a grave space with shingle, stone chippings, pebbles or mulch or any other materials shall not be permitted.

### **GARDEN OF REMEMBRANCE (BEXHILL CEMETERY)**

***The Garden of Remembrance provides an enclosed lawn area specifically for the interment of cremated remains. There is no provision for plot purchase or to place a memorial directly over a plot but an entry can be made in the Book of Remembrance situated in the Chapel of Remembrance within the Garden. The following regulations are specific to the Garden of Remembrance:-***

63. Garden of Remembrance plots shall be 0.61m (2') x 0.3 (1')
64. The maximum size for a casket or urn to be interred shall be 0.457m (1'6") x 0.229m (9") x 0.31m (1') deep.
65. A second interment within a plot shall be permitted on condition that sufficient space exists and subject to prior approval by the Proper Officer.
66. It is not possible to reserve plots in the Garden of Remembrance.
67. There shall be no flowers, vases, memorials or any other objects or materials placed on the plots. Flowers may be placed in the area provided on top of the grass bank at the Eastern end of the Garden. The placing of memorial vases on the grass bank shall only be permitted if space allows. Vases

should not exceed 17.8cm (7") x 17.8cm (7") x 17.8cm (7") in size.

68. An entry can be made in the Book of Remembrance.
69. A memorial tablet or kerb plaque can be set in a designated area of the cemetery for a period of ten years subject to a grant being issued.

### **GARDEN OF REST (RYE CEMETERY)**

***This section provides cremated remains graves in a lawn area. The registered owner of a grave can request a flat tablet, set flush to ground level, to be placed over the grave. The following regulations are specific to The Garden of Rest: -***

70. Cremated remains lawn section plots at Rye Cemetery shall be 0.61m (2') x 0.69m (2'3").
71. The planting of a grave space shall not be permitted.
72. Flowers may be placed in vases incorporated into a flat tablet, set flush to ground level. Vases, plant/flower pots and containers, placed on top of a grave space, shall not be permitted.
73. No fencing or enclosures made from any material shall be permitted on or near any part of a grave space.
74. The covering of any part of a grave space with shingle, stone chippings, pebbles or mulch or with any other materials or items shall not be permitted other than a flat memorial tablet.
75. The placing of ornaments, figurines, plaster plaques, toys, soft toys, balloons, wind chimes and windmills of any material, on a grave space, will only be permitted for a period of up to one month after the interment, at the end of which time they will be removed.

### **ORDINARY GRAVES (All Sections, All Cemeteries)**

***Ordinary graves are provided to allow for interments without the need to purchase Exclusive Rights of Burial in a grave space. They are not private so other interments can take place within them. The following regulation applies to Ordinary Graves: -***

76. Ordinary Grave plots shall be 2.74m (9') x 1.22m (4').
77. No memorials, structures or objects of any material shall be placed or erected on a grave space, other than a flat tablet not exceeding 0.38m (1'3") x 0.31m (1') x 0.051m (2") set flush to turf level. Pictorial representation and photographic plaques on a tablet will not be permitted
78. Only the inscription of the deceased's name, date of birth and date of death and a simple inscription e.g. 'In loving memory' shall be permitted on a flat tablet.

### **CEMETERY MEMORIALS**

79. Only monumental masons that have been registered under the British Register of Accredited Memorial Mason Scheme (BRAMM) are permitted to erect or undertake any works to modify a memorial in Rother District Council Cemeteries, their work must comply with the latest relevant edition of the National Association of Memorial Masons Code of Working Practice.

### **NEW MEMORIALS**

80. The exclusive right to erect a new memorial can be issued for a period of 30 years in line with the certificate of compliance.
81. All applications for permission to erect a memorial must be made on the official form and written approval form must be issued by the Proper Officer before any work can proceed.
82. Any person erecting a memorial or kerb in the Cemetery shall site it to the satisfaction of the Proper Officer and shall cause to be engraved upon it previous to erection, the letter and number of the grave over which it is to be erected or placed, in letters and figures of not less than 0.038m (1½") in height, properly leaded or blacked.
83. All new memorials will be constructed from materials and designs as specified by the NAMM Code of Working Practice.
84. Flower vases bearing inscriptions of more than one word (other than the words "In Loving Memory") shall be deemed to be memorials.
85. Wooden crosses are permitted for one year only from the date of an interment in a plot and must comply with the size restrictions for the relevant section.

86. Pictorial representation on a headstone is permitted, on application to the Cemeteries Office, but must be etched into the headstone by a registered monumental mason and must not exceed 0.114m (4½") x 0.114m (4½"). No painting will be permitted on the surface of a memorial that is not engraved. The Proper Officer reserves the right to reject any depictions that are considered unacceptable or unsympathetic to the cemetery surroundings.
87. A photographic plaque on a headstone is permitted, on application to the Cemeteries Office, but must be fixed onto the headstone by a registered monumental mason and must not exceed 0.114m (4½") x 0.114m (4½"). The Proper Officer reserves the right to reject any plaques that are considered unacceptable or unsympathetic to the cemetery surroundings.
88. Approved kerbing shall only be permitted on traditional sections

### **EXISTING MEMORIALS**

89. No work to modify or alter any memorial should be carried out without the prior approval of the Proper Officer.
90. No memorial of any description shall be taken from the Cemetery without prior approval of the Proper Officer.
91. Any monument, stone or kerb erected or placed on a grave required to be re-opened for an interment shall be removed by and subsequently replaced at the expense and risk of the owner of the grave or the person giving the order for the interment. The replacement must be carried out as soon as practicable after the interment.
92. Any works to modify a memorial will be subject to a certificate of compliance issued by the mason undertaking the work.
93. Any person re-erecting a memorial or kerb in the Cemetery shall site it to the satisfaction of the Proper Officer and, if not already present, shall cause to be engraved upon it previous to erection, the letter and number of the grave over which it is to be erected or placed, in letters and figures of not less than 38cm (1½") in height, properly leaded or blacked

## **MEMORIAL MANAGEMENT (All Sections, All Cemeteries)**

94. Every memorial and every grave space shall be kept clean and in good repair, order and safe condition by the owner or owners thereof
95. Rother District Council will not be held responsible for any loss of, or damage to, any memorial erected in any cemetery, other than damage caused which is directly attributable to any action of any employees of, or any property belonging to, Rother District Council.
96. Under the provisions of the Local Authorities Cemeteries Order 1977 Article 3 the Council is empowered to take immediate action to make safe dangerous memorials. Where a memorial is found to be an immediate danger to the public or Cemetery staff it will be laid down within the grave space and the registered owners will be instructed to re-fix the memorial at their own expense.
97. The Council shall employ a programme of memorial inspection in accordance with the Institute of Cemetery and Cremation Management Code of Practice for the Management of Memorials.

## **SPECIFICATIONS FOR MEMORIALS**

98. A memorial cannot be erected until a minimum period of six months has elapsed since the last interment has taken place, subject to suitable ground conditions. As memorials on the cremated remains section (MA) in Bexhill cemetery are erected on virgin ground this regulation will only apply to full sized plots.
99. The Proper Officer reserves the right to reject any memorial that is unacceptable or unsympathetic to the cemetery surroundings.

## **FOUNDATIONS**

100. A foundation to NAMM standards must be constructed for all memorials



## **FULL SIZE GRAVES (Lawn Sections)**

101. Memorials in the form of a standard or book headstone must not exceed 91cm (3') or be less than 46cm (1'6") in height; must not exceed 61cm (2') or be less than 31cm (1') in width; must not exceed 15.2cm (6") or be less than 7.6cm (3") in depth. The minimum thickness of 7.6cm (3") shall not apply to slate memorials.

Memorial vases should not exceed 17.8cm (7") x 17.8cm (7") x 17.8cm (7") in size and must be securely fixed to a memorial base.

Memorial tablets must be set flush to ground level, the maximum size of a tablet shall be 38cm (1'3") x 31cm (1') x 5.1cm (2")

102. The base of a memorial must not exceed 10.2cm (4") in height, 76cm (2'6") in width or 31cm (1') in depth.

## **CREMATED REMAINS GRAVES (Lawn Sections)**

103. Memorials in the form of a standard headstone must not exceed 0.61m (2') nor be less than 38cm (1'3") in height; must not exceed 46cm (1'6") nor be less than 31cm (1') in width; must not exceed 7.6cm (3") nor be less than 5.1m (2") in depth.

Memorial vases should not exceed 17.8cm (7") x 17.8cm (7") x 17.8cm (7") in size and must be securely fixed to a memorial base.

Memorial tablets must be set flush to ground level; the maximum size of a tablet shall be 31cm (1') x 31cm (1') x 5.1cm (2")

104. The base of a memorial must not exceed 11.4cm (4½") in height; nor exceed 55.3cm (1'9") in width nor 22.9m (9") in depth.

### **TRADITIONAL SECTIONS (All Cemeteries)**

105. There is no limit for size of a memorial within the confines of a grave space.

### **BABY & INFANT'S SECTION (Bexhill Cemetery)**

106. Memorials in the form of a standard headstone must not exceed 0.61m (2') nor be less than 38cm (1'3") in height; must not exceed 46cm (1'6") nor be less than 31cm (1') in width; must not exceed 7.6cm (3") nor be less than 5.1cm (2") in depth
107. The base of a memorial must not exceed 11.4cm (4½") in height; nor exceed 55.3cm (1'9") in width nor 22.9cm (9") in depth.

### **GARDEN OF REST (Rye Cemetery)**

108. The memorial must be in the form of a flat tablet, set flush to ground level, the maximum size of a tablet shall be 46cm (1'6") x 46cm (1'6") x 5.1cm (2").

### **ORDINARY GRAVES (All Cemeteries)**

109. A memorial must be in the form of flat tablet not exceeding 38cm (1'3") x 31cm (1') x 5.1cm (2") set flush to turf level.



Bexhill Cemetery  
Turkey Road  
Bexhill-on-Sea  
East Sussex  
TN39 5HT

Rye Cemetery  
Rye Hill  
Rye  
East Sussex  
TN31 7NH

**Rother District Council  
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**1<sup>st</sup> January 2009**