



Hull
Public Protection

Kingston-upon Hull City Council Public Protection Division
Bereavement Services Rules and Regulations
for the Management of Cemeteries
and the Crematorium

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1 Introduction

- 1.1 These rules and regulations are made pursuant to the Local Authorities Cemeteries Order 1977, the Cremation Acts 1902 and 1952 as amended, and the Local Government Act 1972 and shall be known as The Kingston upon Hull City Council Cemeteries and Crematorium Regulations.
- 1.2 All previous rules and regulations are hereby revoked.

2. Hull Cemeteries and the Crematorium

- 2.1 These Rules and Regulations shall apply to the following locations: - Northern Cemetery/Western Cemetery/Hedon Road Cemetery/Eastern Cemetery/Chanterlands Crematorium and any future Cemeteries or Crematoria which the Council may establish.

3. Bereavement Services Office

- 3.1 All enquiries regarding Hull Cemeteries and the Crematorium shall be directed to the following address: -
The Bereavement Services Manager
Chanterlands Crematorium
Chanterlands Avenue
Hull HU5 4EF
Tel: 01482 614976
Fax: 01482 614986
[Email: public.protection@hullcc.gov.uk](mailto:public.protection@hullcc.gov.uk)

4. Opening Hours

4.1 Access is available during the following hours: -

Month	Crematorium Grounds & Book of Remembranc	Northern & Eastern Cemeteries	Western & Hedon Road Cemeteries	Administration Office
April to September	8.00 am - 6.30 pm	8.00 am - 7.00 pm	8.00 am - 5.30 pm	Mon - Fri: 8.30 am - 4.30pm Closed Public and Bank Holidays
October to March	8.30 am - 3.45 pm	8.00 am - 4.00 pm	8.30 am - 3.30 pm	Mon - Fri: 8.30 am - 4.30pm Closed Public and Bank Holidays

These times may be subject to change. New times will appear on entrance gates and signs. The Cemetery and Crematorium gates will be locked during hours of closure when unauthorised entry is prohibited.



5. The Rules and Regulations

5.1 The Exclusive Right of Burial

5.1.1 Period of Exclusive Right

5.1.1. The exclusive right of burial in a grave will be provided to the purchaser and his or her successors for a period of 30 years.

No grave in respect of which the Council has granted an exclusive right of burial shall be opened without production of the deed, written consent of the deed holder or other relevant documentation.

According to the Local Authorities Cemetery Order 1977, 10.6:

No body shall be buried, or cremated remains interred or scattered, in or over any grave or vault in which an exclusive right of burial for the time being subsists except by, or with the consent in writing of, the owner of the right.

5.1.2. Grave Deed

The Bereavement Services Manager will provide the purchaser with a Grave Deed as proof of ownership of exclusive right of burial. A copy of the Deed will be held by the Council.

Where the owner of the exclusive right of burial has misplaced/lost the grave Deed, he/she may apply in writing to the Bereavement Services Manager for a replacement. Included in the application must be relevant documentation that provides proof of identity and also any necessary fee. Once satisfied with the information submitted the Bereavement Services Manager will instruct the provision of a duplicate Grave Deed.

5.1.3 Ownership Registration and Transfer

All grave owners will be registered by the Council and shall own exclusive rights permitting the grave to be opened upon the production of the deed. One person only shall be registered as the holder of a grave or graves, except in the case of trustees. No grave owner shall be entitled to transfer any graves without written notification to the Council. It is the responsibility of the owner to notify the Council of any change of address or ownership.

Any application for transfer of ownership of a grave deed must be made in writing to the Bereavement Services Manager. This must be accompanied by any relevant documentation and the appropriate fee. The Council will not unreasonably decline to make a transfer.

Where the owner of the grave is to be buried within that grave and no other person wishes to be assigned the rights and responsibilities of the exclusive right, then the executor may surrender the exclusive right to the Council. Where the exclusive right is not available the executor will certify that all rights revert to the Council.

5.1.4 Grave Allocation

Graves will be allocated at the discretion of the Council. Only graves shown on the Cemetery Plans will be allocated. The wishes of an applicant will be taken into account wherever possible.

All graves will be treated as 'Lawn Section'.

The lawn areas/grave space will be maintained by the Council. The whole of the grave surface will be grassed and levelled with the exception of a soil border between the compartment rows, which will be reserved for the erection of an approved memorial headstone. The Council will plant and maintain roses in the margins.



5.1 5 Death of the Grave Owner

If a grave owner dies without bequeathing the rights of burial in his/her will, the grave does not automatically transfer to the next of kin. Where the owner is deceased, transfer of the right of burial may be applied for in one of the following ways: -

- Statutory declaration
(a blank copy can be obtained from the administration office)
- Power of Attorney
- Probate
- Power of administration
- Will

An application for the transferral of the Grave Deed must be submitted with all relevant documentation to the Bereavement Services Manager. A fee may be applicable for the provision of a new Grave Deed.

A grave may, during the life of its owner, be assigned by deed. The same rules of succession apply. It is possible to obtain a standard 'form of assignment' from the administration office for this purpose. A fee may be applicable for the provision of a Grave Deed.

Only a single individual may be named as a grave owner.

5.2 Unused Graves

Failing burial in, or transfer of a grave for a period of 30 years, the Council may withdraw the Right of Burial therein, provided that such notice of intention to withdraw shall be advertised twice in one national newspaper and two local newspapers and a period of twelve months allowed to elapse, whereupon, failing any claimant, the Council may declare such Right of Burial to be withdrawn and may offer the grave to another person.

5.3 Burial Services

All burials shall be carried out in accordance with the requirements of the Confederation of Burial Authorities and the Local Authorities Cemeteries Order 1977.

5.3.1 Council Authorisation

All burials must be authorised by the Council prior to funeral arrangements being publicly announced.

5.3.2 Notice of Burial

Notice of burial must be given to the Cemeteries Office by no later than 12 noon, two working days prior to the burial, excluding Saturday, Sundays and Public Holidays. Notice must be given on the documents provided by the Council for this purpose, and must be accompanied by all documents specified, including a copy of the grave deed. Where the exclusive right of burial is not available the registered grave owner shall provide in writing, permission to re-open the grave. The notice of burial must state the name and address, age and the date of death of the deceased, the relationship of the deceased to the grave owner, the residence at the time of death, and the day and hour of the burial and any other such information deemed necessary by the Council from time to time.

Upon checking the Grave Register the order for digging the grave will then be issued.

Burials may take place on Monday to Thursday between the hours of 9.15 am and 2.15 pm, on Friday between 9.15 am and 1.30 pm. Public and Bank Holidays are exempt. Burials may take place on Saturday mornings in special circumstances by prior arrangement. Where the religious denomination stipulates that the time of burial must be carried out within a designated time after death, urgent out of hours arrangements will be made. The Council reserves the right to make an extra charge for this service.

5.3.3 New Grave Dimensions

No new grave owner shall be entitled to have the ground opened to a greater depth than 2.0 metres (6' 6"), without there being at least 900mm (3') of soil between the ordinary surface of the ground and the upper side of the coffin, in which not more than two adult coffins may be interred. Where a grave is reopened for a further burial, a layer of soil not less than 15cm (6") depth shall be left undisturbed above the existing coffin. The digging of the graves and preparing for the laying of foundations for monuments shall be done only by persons authorised by the Council.

5.3.4 Grave and Burial Registers

The Council shall keep registers in which shall be entered every burial, specifying the grave, the depth of the grave, the date of burial, the name and age of the person buried and all other requisite particulars.

No cadaver or cremated remains may be disturbed or removed without a licence authorising exhumation having produced to the council. For this a fee may be charged.

5.3.5 Cemetery Plans and Registers

Plans and Registers for all cemeteries will be kept at the Crematorium Office. These may be viewed during the hours highlighted at 4.1.

5.3.6 Coffins

All cadavers received for burial shall be enclosed in an appropriate coffin, approved by the Bereavement Services Manager. All coffins received for burial must be marked with the name of the deceased. Burial may only take place in a biodegradable coffin, casket or shroud (for any other container prior agreement must be obtained from the Bereavement Services Manager). Where the religion of the deceased may call for a certain type of coffin or shroud this will be considered. Standard coffins used by Funeral Directors (chipboard) are acceptable, as are natural wood coffins.

5.3.7 Bearing of Coffin

Once the funeral cortege enters the Cemetery gates it is under the jurisdiction of the Council. The Funeral Director is normally responsible for conducting the coffin to the grave, ensuring it is placed correctly on the grave boards or putlogs and lowered in accordance with standards of safe practice and orderliness acceptable to the Council.

Funeral Directors are always required to bring to the cemetery enough bearers to lower the coffin; however, if some immediate circumstance renders assistance necessary, at the discretion of the Bereavement Services Manager this may be made available, subject to the availability of staff. In such event the Council will not be held responsible for any damage to the hearse or coffin as a result of providing this assistance.

Any mourner who assists with the bearing or lowering of a coffin does so at their own risk.

5.3.8 Temporary Removal of Memorials

The grave owner is responsible for the removal and re-fixing of a memorial in connection with a burial. Only Monumental Masons approved by the Council may undertake such work (see 5.7.1). The Council may undertake the removal of a memorial or part of a memorial for the purpose of re-opening a grave.

5.4 Cremation Services

All cremations shall be carried out in accordance with all statutory legislation and the Code of Cremation Practice of the Federation of British Cremation Authorities.

5.4.1 Notice of Cremation

All relevant cremation documentation and instructions for cremation shall be given on the forms provided by the Council and shall be delivered to the office by no later than 12 noon on the last working day prior to the date arranged for cremation.

Cremation services may be arranged to commence between the hours of 9.00 am and 5.00 pm Monday to Saturday (excluding Bank and Public Holidays).

If, due to religious denomination, an urgent out of hours cremation is required then the necessary arrangements can be made. This will be at the discretion of the Bereavement Services Manager, as will be any additional fees.

No cremation shall take place except on the written authority of the Medical Referee and the issue of the appropriate certificate by the Bereavement Services Manager.

5.4.2 Coffins

All cadavers brought for cremation shall be enclosed in a suitable coffin marked with the name of the deceased. Coffins (for any other container prior agreement must be obtained from the Bereavement Services Manager). Chemical treatment, and clothing of the deceased, shall comply in all respects with the requirements of the Cremation (Amendment) Regulations 2000 and the Code of Cremation Practice.

5.4.3 Bearing of Coffins

The conveyance of the coffins into the Crematorium shall be carried out by staff employed by the Funeral Director conducting the funeral.

Funeral Directors are always required to bring enough bearers to convey coffins into the Crematorium; however, if some immediate circumstance renders assistance necessary, at the discretion of the Bereavement Services Manager this may be made available, subject to the availability of staff. In such event the Council will not be held responsible for any damage to the hearse or coffin as a result of providing this assistance.

A coffin which has been received for cremation and placed on the catafalque shall not be removed from the Crematorium except on the order of the Coroner, Chief Officer of Police or a Court of Summary Jurisdiction.

5.4 4 Committal Room and Crematory

No person shall be allowed to enter the committal room or crematory without the express consent of the Bereavement Services Manager.

Representatives of the deceased being cremated may, by prior arrangement, witness the coffin being placed in the cremator chamber. The number of witnesses shall be at the Bereavement Services Manager's discretion and shall comply with the Manager's instructions whilst within the committal room and crematory.

The Crematorium, including committal room and crematory, shall be open for public inspection during normal working hours, other than when a funeral service is taking place, by prior arrangement with the Bereavement Services Manager.



5.4.5 Delays to Services

At the reasonable request of the person arranging the funeral, or the applicant, or if it appears that a funeral cortege is so delayed that other funerals would be disrupted, the Bereavement Services Manager may at his/her discretion, postpone the funeral or alter the service to another available chapel. The Manager shall specify the arrangements for carrying out a postponed funeral after consultation with the applicant's representative.

5.4.6 Flowers

Wreaths, sprays and cut flowers or other floral tributes may only be placed in the areas designated. The Crematorium will provide floral tribute cards for the Funeral Director to place with the floral tributes. These cards will be removed at the end of the working day. All floral tributes will be held at the Crematorium for a week after the funeral.

5.4.7 Collection and Retention of Cremated Remains

Cremated remains which are to be removed from the Crematorium shall not be released except on written authority from the person making the application for the cremation, and the signing of a receipt for them by that person or by the Funeral Director acting on their behalf. Cremated remains may only be removed in a container deemed suitable for that purpose by the Bereavement Services Manager.

Cremated remains must be removed from the Crematorium within two calendar months of the date of cremation. Alternatively, cremated remains may be stored for a period of up to six months by prior arrangement, and after payment of the appropriate fee. On the expiry of two calendar months, if no arrangements have been made for the removal, the Bereavement Services Manager shall give two weeks notice to the person applying for the cremation of the intention to strew the cremated remains concerned in the garden of remembrance.

If instruction is given prior to cremation for the remains to be strewn with no family present, in no designated area, then the cremated remains will be strewn 48 hours after cremation, within the gardens of remembrance at the staff's discretion.

In the case of the cremated remains of children and stillbirths, all such remains will be kept for 2 weeks before strewing in the baby cemetery.

5.5 Interment/Strewing of Cremated Remains

The interment or strewing of cremated remains may be carried out on any day of the week, provided appointment times are available, excluding Public and Bank Holidays.

If strewing is to be carried out with family present, then an appointment must be made with the administration office. It is not permitted for an interment/strewing to be carried out without being witnessed by an authorised member of the bereavement services.



Where a cremation took place at another Crematorium, the cremated remains, certificate and appropriate payment must be received by the administration office prior to the commencement of strewing.

All metals and other residue recovered from cremations shall be recycled or returned to the applicant after cremation.

The strewing or burial of cremated remains is not permitted in any part of the cemetery other than with a grave or memorial item purchased for that purpose in accordance with the Council's procedures and current Health and Safety at Work Regulations. The Local Authorities Cemetery Order 1977, Schedule 2, Article 10 -'Exercise of rights' specifies that it is not permissible for a burial to take place, nor for cremated remains to be

scattered, no tombstone or other memorial to be placed and no additional inscription to be made on a tombstone or other memorial, without the permission of the officer appointed for that purpose by the burial authority.

No cadaver or cremated remains may be disturbed or removed without a licence authorising exhumation having produced to the council. For this a fee may be charged.

5.6 Fees and Charges

The fees and charges prescribed for the use of the cemeteries and crematorium shall be those specified within the leaflet “Fees and Charges”, as amended from time to time.

All fees and charges are payable in advance to the Council. The Bereavement Services Manager may make prior written agreements with business users for payments on weekly accounts.

The Council reserves the right to make different charges for the burial and cremation of residents and non-residents of the borough. In circumstances, where the applicant can demonstrate that a deceased person has resided outside the borough for a period not exceeding 2 years then a reduced non residents’ fee will apply. Requests for charges to be at the reduced non residents’ rate shall be in writing together with documentation confirming this fact.

All fees and charges paid in connection with services will be acknowledged by official printed receipt forms.

5.7 Memorials

5.7.1 Memorial Erection

- (a) A permit must be obtained from the administration office prior to the erection of any headstone, memorial, or the cutting of any additional inscription. The Council reserves the right to refuse the erection of any headstone if the base or headstone is not of the specified type. A fee will be applicable for each permit obtained.
- (b) No operation of any kind shall be permitted inside the ground without the prior written consent of both the grave owner and Bereavement Services.
- (c) All works carried out on monuments must be done by a registered and approved monumental mason and in accordance with the

Council's Monumental Masons' Registration Scheme. A list of approved masons is available from the administration office.

- (d) The Council shall have the power to remove any memorial placed in a cemetery or the crematorium without the necessary authority.
- (e) Memorials may be of any colour.
- (f) Headstones shall not exceed 2' 6" in height (exclusive of base), 2' 6" in width and 3" in thickness. If any headstone is erected over this size, the Council holds the right to notify the deed holder and remove such headstones.
- (g) Headstones shall be fixed in a manner approved by the Council's Monumental Masons' Registration Scheme. Unless a concrete raft is already provided, all established headstones requiring to be re-fixed, shall be re-fixed with NAMM type fixing and secured with bonding. New headstones shall be either fixed to a concrete raft, or fixed with NAMM type fixing secured with bonding, at the discretion of the



Council, depending upon the area of the cemetery in which the grave is located.

After burial at a grave, no headstone can be erected until at least six months after the date of interment, to allow for ground settlement, unless a concrete raft is used.

- (h) Monumental Masons shall be required to take all necessary precautions to protect the grass, trees, plants, walls, paths and adjacent memorials or vaults from damage, and the area shall be completely cleared of materials, tools and rubbish when work is not in progress. Any damage caused shall be made good at the mason's expense.
- (i) The grave and compartment number must be inscribed on the base of the headstone.
- (j) Monuments and headstones and other memorials must be prepared ready for fixing before being taken into the cemetery. Materials or tools may not be stored or left within the cemetery on completion of the work.
- (k) Memorial approved headstones may include cameos or photographs.
- (i) Religious symbols of any materials are not allowed.

5.7.2 Loss or Damage

Memorials are placed at the owner's own risk. The Council is not responsible for loss or damage done to any grave space or memorial or injury to any person within the cemetery or crematorium, except where such damage is proved to be directly attributable to the negligence of the Council or their employees.

The deed holder has the right to insure the headstone against damage or vandalism.

5 7 3 Removal of Memorials

No memorial or part of a memorial shall be removed from a cemetery or the crematorium without written approval of the Council being first obtained. Acceptance of a booking for a burial shall be considered consent to remove a memorial from the grave to be opened.

5.7.4 Unsafe and Neglected Memorials

The grave owner shall maintain memorials in a safe condition. The Council reserve the right to repair or remove any memorials which they consider unsafe and to pass any costs on to the grave owner in question, after giving 21 days notice in writing, of any necessary remedial works.

5.7.5 Hours of Work

All work in connection with the fixing of restoration of monuments or other memorials must be carried out during the ordinary working hours of the cemetery staff (see 4.1). Except with the written consent of the Bereavement Services Manager, no memorials shall be fixed or restored on a Sunday, Bank Holiday or any other public holiday when the cemeteries are closed for interments.

5.8 Memorabilia

All of the following apply to graves and any memorial item leased by the Council (rose trees, benches etc).

5.8.1 The planting of any type of trees or shrubs in the cemetery grounds is totally prohibited by the Council. The Council will permit deed/lease holders to plant small bedding plants in the margin area at the head of the grave, but the Council cannot be held responsible for damage caused by such.

5.8.2 The Council will uphold and maintain the grounds and cemeteries under any statutory provision.

5.8.3 The lease holder shall not, without written consent of the Council, position any unsightly items or memorabilia upon the site. If this occurs, the Council will write to the deed holder requiring that such items be removed within 28 days, after which, if they have not been removed, the Council will remove them and dispose of them. This includes ornamental fencing, kerb sets, religious symbols of any type or material, glass flower vases/containers, or any other container deemed inappropriate to the cemetery situation (jam jars, milk bottles etc.). Any alcoholic beverage shall be immediately removed by the Council.

5.8.4 The deed holder/ lease holder remains solely responsible for damage or loss of any items, tablets or planting material.

5.8.5 Memorial Wreaths

Memorial wreaths placed upon a grave at Christmas will be removed after the third week in January.

5.9 Vehicles

5.9.1 Drivers' Responsibilities

Vehicles are permitted in the cemetery and crematorium only during normal opening hours, including those for weekends and Bank Holidays (see 4.1).

Any vehicles entering the cemetery must be driven at a reasonable speed and with due care and attention, and must not be driven onto the grassed areas. Directional signs and the Bereavements Services Manager's directions must be complied with. Vehicle drivers will be required to keep within any speed limits specified.

The Council shall not be held responsible for any damage to vehicles or other property left in the car parks, however such damage may be caused. Any vehicle left in the car parking areas after closing hours will be notified to the Police.

5.9.2 No Thoroughfare

The Cemetery and Crematorium shall not be used by vehicles as a thoroughfare.

5.10 Conduct Within Cemetery and Crematorium Grounds

5.10.1 General Conduct

Visitors to cemetery grounds are required to abide by the codes of personal conduct specified in the Local Authorities Cemeteries Order 1977. Under Article 18, no personnel shall: -

- wilfully create any disturbance in a cemetery
- commit any nuisance in a cemetery
- wilfully interfere with any burial taking place in a cemetery
- wilfully interfere with any grave, vault, any tombstone or other memorial, or any flowers or plants, or
- play at any game or sport in a cemetery

Anyone who commits any offence within cemetery grounds, will incur liability upon conviction, to applicable penalties under the byelaws and/or other legislation.

Additionally, persons entering the cemetery must not: -

- wilfully or carelessly obstruct, disturb or interrupt any officer or member of Council staff during the exercise of his/her duties
- behave in any manner likely to cause harm to themselves or others
- damage, retain or remove any article structure or planting within the cemetery which is not their own property

5.10.2 Lost Property

Lost property should be reported to the Bereavement Services Manager at the address specified on the signs posted at the entrance to the grounds.

5.10.3 Dogs

Dogs are only allowed when the dog owner is visiting a grave and shall be kept on a lead and restrained from straying off paths and drives. All dog faeces must be cleared up by the person in charge of the animal and the Dogs (Fouling of Land) Act 1996 will apply.

Under no circumstances should a cemetery be used as a dog exercise facility.

5.11 Reserved Rights of the Council

5.11.2 Differences or Disputes

Should any difference or dispute arise as to the real intent, meaning or interpretation of these Rules and Regulations, or Table of Fees and Charges, the decision of the Bereavement Services Manager as designated representative of the Council, shall be final.

5.1 1.3 Alterations to Rules and Regulations

The Council reserves the right, after due consultation with relevant organisations/interested parties, to alter these Rules and Regulations, or any part of them from time to time, as they may see fit.

This document can be made available in other formats
(large print, audio and Braille as appropriate).

It can also be made available in other languages.

Please telephone (01482) 614975/76.