

**Regulations for the
Stratton Memorial Garden and Burial Ground
owned and managed by
Princes Risborough Town Council**

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1. Hours of opening

The Stratton Memorial Garden is open to the public daily from 9am to 4pm during the winter months and 9am to 6pm during British summertime. The Town Council [hereafter referred to as the Council] may vary these days and hours from time to time. The Council may temporarily close the whole or part of the grounds as often as, in the opinion of the Council, such closure is desirable. No person shall enter or remain there when closed to the public. A person shall not enter or leave otherwise than through the entrance gates.

2. Administration

[a] Administration is dealt with by the Town Clerk, who will be happy to help you with all matters on behalf of the Council, at the Council Offices, 1 Tower Court, Horns Lane, Princes Risborough, Bucks HP27 0AJ, or telephone 01844 275912. The E-mail address is prtowncouncil@btinternet.com and information is also available on the Web site www.princesrisborough.com. The reception desk and telephone lines are open on Tuesdays and Thursdays between the hours of 10am – 3pm and Saturdays 10am – 12 noon.

[b] The records, which contain information regarding the name and age of the person buried, the grave number and the date of burial may be inspected free of charge at the Council Offices when the office is open. A certified extract from a Register of Burials may be provided for such fee as is prescribed in the current schedule of charges.

3. Interments

Clients should be aware that memorials are not permitted in some sections and that there are strict limitations on what can be placed in some areas and must therefore ensure that they select the intended location of the grave with care.

[a] Public or Common Burials. These are for instances where a Right of Burial is not required. These graves are communal, meaning that other bodies may already be buried in them, or be buried in them in the future. For an interment in a public or common grave, the next of kin of the deceased person, or the person who arranges the funeral must sign a statement that it is understood that the bodies of other persons are or may be buried in the same grave. This must be passed to the Town Clerk with the Notice of Interment.

[b] For the Exclusive Right of Burial in private graves, on payment of the appropriate fee, a Grant of Right of Exclusive Burial will be granted for a period of 50 years. The Council may, upon payment of the appropriate fee, allow extension or renewal, at any time, for a further 25 years if required. The Grant shall be purchased at the time of the first interment.

No person may purchase the Exclusive Right of Burial in more than two grave spaces, except by special permission of the Council. Non-residents may only purchase grave spaces for immediate use, unless they have previously resided in this parish for at least 5 years. The authority of the owner of the Grant of Right is required for installation of any memorial or other work upon the grave.

[c] Transfer of Ownership. Transfers of the ownership of the Grant of Right may be made during the life of a registered owner. On the death of the registered owner of the Grant of Right, the interest should be transferred as possession of a Grant does not in itself confer any rights upon the holder. The transfer should be registered at the Council Office

[i] at the request of the executor or administrator of the estate of a deceased owner upon production of a Grant of Probate or Letters of Administration.

[ii] Where Grant of Probate or Letters of Administration have not been issued, at the written request of the surviving spouse or, if there is no surviving spouse, all the surviving children.

The appropriate transfer fee must be paid in accordance with the Council's current schedule of fees.

Where unused grave space is transferred to a non-resident of the parish, such non-resident shall pay to the Council such additional fee as would have been payable if the original purchaser had been a non-resident.

[d] Extent of Rights - While an Exclusive Right of Burial exists, no body or cremated remains can be buried in the grave without the written consent of the owner of the Right, other than the remains of the grantee, of any person specified in the grant, or in an endorsement on the grant made by the Council at the request of the grantee, or of any person whom the grantee permits to be buried in the grave. **This means that it is essential to get the written consent of the registered owner when it is planned to re-open a grave for a burial or the burial or underground scattering of cremated remains.** Where the holder has transferred the benefit of a grant during his life, or by will, or the grant has transferred on the intestacy of the holder, the transferee is in the same position as the grantee in the exercise of the rights, and may exercise them, as he thinks fit. The Right of Burial gives only the right to inter a body and no control over the surface of the grave.

[e] Form of Indemnity - Where the written consent of the registered owner cannot be conveniently obtained, or where the Deed of Grant has been lost or mislaid, the Council may accept a form of Indemnity. An interment in an existing private grave will only be permitted on condition that the person arranging the funeral completes this form giving a satisfactory explanation of the facts, so that the Council and all its officers and servants are fully indemnified from and against any claim whatsoever which may arise as a consequence of the reopening of the grave.

[f] Residents who have lived in the parish for at least the last 5 years, and whose names appear in the Register of Electors, and any children residing in the parish, may be interred in the Memorial Garden on payment of the appropriate fee as set out in the Schedule of Fees. Parishioners who have, within the last 24 months, moved from the town in to long-term care would also be charged the basic rate. The Council may require to view proper evidence to

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Tel: 01844 275912

e-mail address: prtowncouncil@btinternet.com · website: www.princesrisborough.com

support these conditions and their decision on that evidence will be final. Interment of other people may be permitted at the Council's discretion subject to payment of the prescribed fee.

[g] Notice of an interment shall be given on a form provided by the Council, which must be produced at the Council office at least 48 hours prior to the time of such interment exclusive in every case of Sundays and Bank Holidays. The notice must contain:

- full details of the deceased
- the proposed interment details
- the section of the Memorial Garden and grave space to be used
- the signature of the owner of the Exclusive Right of Burial [if applicable]
- confirmation by signature that a copy of these regulations has been received by the client.

On receipt of a Notice of Interment the Clerk shall confirm the details by email, fax or letter.

[h] Fees and charges must be paid at the time the notice is given, or the works cannot be commenced. No interment shall be allowed in any grave if any fees or charges payable are unpaid unless an alternative arrangement has been agreed beforehand. Fees and charges will be in accordance with the scale current at the time of burial. The Council reserves the right to alter fees and charges at any time.

[i] The time arranged for a burial shall be that of arrival at the graveside. Funerals will be accepted to arrive at the Memorial Garden between the hours of 10am – 3.30pm. If there is to be a service before the burial, care should be taken to allow sufficient time for its duration and for the journey.

[j] No burial may take place on Bank Holidays or Public Holidays, Saturdays or Sundays except under emergency conditions or by special permission of the Council.

[k] In all cases the appropriate Registrar's Disposal Certificate or Coroner's Order for Burial must be delivered to the Council before an interment may take place. Should the certificate not be delivered to the Council for reason of its delivery being omitted or it has been lost or mislaid, a written declaration made on Form 18 [available from the Council] may be accepted and the burial permitted on condition that the original certificate or a duplicate of the original is obtained and handed to the Council within 24 hours. [It should be noted that no burial will be permitted to take place unless the death has been registered and a disposal certificate issued by a Registrar of Births and Deaths] When the deceased has died outside England and Wales, a certificate of No Liability to register the death must be obtained from the Registrar of Births and Deaths for the sub-district in which the burial is to take place. For the interment of Cremated Remains a Certificate issued by the Crematorium concerned regarding the foregoing is required.

[l] The body of any deceased person will not be accepted for interment unless it is enclosed within a suitable coffin or container. Adequate particulars of the deceased person therein shall be clearly marked on it.

[m] It is the responsibility of the Undertaker or the person arranging the interment to arrange for a Minister [if desired] and to be responsible for providing sufficient bearers to carry the coffin reverently from the hearse to the grave. Any form of religious service may be used but any other ceremony is subject to the approval of the Council. Alternatively the coffin may be committed without service.

[n] Graves are sold in rotation in each section with the next available space being allocated in the row in which graves are currently being prepared.

[o] Children's graves are available for a sole interment and the size of the coffin is limited to 5 feet [1.5metres].

4. Graves

[a] All graves shall be excavated or re-opened only by gravediggers or workmen approved by the Council. Gravediggers must adhere to the Council's Regulations for Grave Digging.

[b] No grave shall be dug until the Council has marked the plot to be used.

[c] Conveyance of Materials All boards, tools and other material or plant required shall be conveyed by hand, on carts or trucks, the wheels of which must have a tyre width of not less than 4 inches [10cms]. Heavy plant must have caterpillars so as to spread weight and prevent damage to grass. Care must be taken to avoid cutting up or damaging the roads, paths or grassed areas.

[d] Removal of Rubbish and Surplus Materials. Every person working on any grave or memorial shall, immediately upon its completion, clear up and remove from the site any rubbish or surplus materials remaining, and at no cost to the Council. If any person, after receiving one week's notice from the Council, neglects or fails to comply with this requirement, the rubbish or surplus materials will be removed by the Council, and that person who so neglects or fails shall, on demand, pay the Council the appropriate cost of removal.

[e] The depth of every grave [whether or not the Exclusive Right of Burial has been purchased] shall be determined by the Council. Every new grave for adults will be dug to six feet six inches [2m] as for a double depth grave, and, on re-opening; a layer of at least 6 inches [150mm] of earth must be left between each coffin. No part of any coffin shall be less than 3 feet 3 inches [1m] below the level of the ground. Ashes shall be interred at a minimum of 2 feet [60cms]. Where the nature of the ground is suitable, triple depth graves may be permitted.

[f] Covering of graves. After burial, the earth and turf shall be replaced and kept level with the surrounding area.

No mounds will be allowed on any grave. The surface area of the grave must be left free of obstructions in the interests of safety and to facilitate maintenance. The Council will mow all graves provided in the Memorial Garden. Cultivation of the grave space is not permitted. Any settlement of the soil will be made good by the Council twice yearly as required, and further turf or grass seed applied. The Council reserves to itself the right of passage over all graves.

[g] After interment no remains shall be removed unless there has been produced to the Council the faculty or licence required by law from the necessary authorities.

[h] Cremated remains must either be interred below ground in an urn of metal or wood [no plastic containers are allowed] or, alternatively, they can be scattered below ground in the designated area. Up to two caskets of cremated remains may be placed in a plot where the Exclusive Right of Burial for a period of 50 years has been purchased. The scattering of ashes above ground is not permitted in any circumstances. The removal of buried cremated remains for whatever purpose requires an Exhumation Licence from the Ministry of Justice or its successor.

[i] Use of purchased graves. Cremated human remains may be buried or scattered underground in purchased graves, with the consent of the owner of the Burial Rights. Where the purchased grave is of sufficient depth and will be required at a future date for the burial of a second coffin, the casket of ashes must be buried so as to permit the free passage of any coffin. The burial of cremated remains in any grave for which the Exclusive Right of Burial has not been purchased is not permitted.

5. Memorials

[a] Different methods of memorialisation will be prescribed for different sections of the site and details of permissible size, composition, and colour and the prescribed fee can be obtained from the Council offices. A Digital Book of Remembrance is being created which will be accessible through the Council's web site.

Section A [cremation area] As this is a natural area, a small marker will be allowed to mark the plot for the first 8 weeks but no permanent memorial or other items may be placed here. Wreaths may be placed on the plot after the interment, and on special occasions, and will be removed after they have died or after 4 weeks. With the Council's permission the small marker may subsequently be placed in a nearby planting area to create a focal point for placing flowers if desired.

Section B is not yet in use to allow for the grass and planting to become established. The Memorial Garden Committee will determine the size and composition of the plaques.

Section C is reserved for the burial of babies and young children, or their cremated remains. The Memorial Garden Committee will determine the size and composition of the plaques. Coffins shall be no longer than 5 feet [1.5 m].

Section D is for burials and allows for the installation of a wedge shaped memorial, which shall be of a size no larger than 18 inches by 18 inches by 3.5 inches thick [45cm x 45cms x 10cm], in the adjacent planting area.

Section E is a natural area for burials and no permanent memorials are to be placed there, although flowers and temporary markers may be placed within the designated planting areas.

Section F is another burials option, allowing for memorials, which shall be no larger than 24 inches wide by 18 inches deep by 2 inches [60cms x 45cms x 5cms] thick and which must be placed flush with the surrounding grass at the head of the grave.

Section K allows for memorial plaques, which must be installed on the kerbing provided. Details of size and position of fixings can be obtained from the Clerk. Interment of ashes, if required, may be under the grass adjacent to the kerb, if available, or in Section A. It is possible to purchase the right to install a memorial in the absence of an interment.

[b] Application for placing a memorial. The application must be made by a Monumental Mason and the registered grave owner jointly on a form provided by the Council. This should include a drawing showing the dimensions, type of stone and finish, system of fixing and the inscription to be placed thereon. The Council has the power to prevent the use of any inscriptions that it considers unsuitable. The application must also bear the signature of the registered owner of the Exclusive Right of Burial or his executor, or of the next of kin in the case of an unpurchased grave.

The appropriate fee should be included with the application. The Memorial Mason will be required to confirm by signature on the application that the proposed memorial will be installed in accordance with the National Association of Monumental Masons' recommended practice and to British Standard BS 8415 or as prescribed from time to time. The submitted details must be approved by the Council. No memorial work may be carried out until permission has been granted.

[c] Where the exclusive rights have been granted to place and maintain, or add an additional inscription to a memorial, on a grave space or in a planting area adjacent to it, this will be for a period of 30 years. The Council may permit the renewal of these rights following expiry for a further period, subject to the memorial/plaque being in a safe and stable condition and any defects identified being repaired at the cost of the owner. Should adequate repairs not be made the Council will notify the owner by letter to the owner's last known address of its intention to remove the memorial/plaque after the expiration of three months. Notices of the Council's intention will also be placed in the Memorial Garden and published for 2 successive weeks in a local newspaper. Plaques/memorials can be removed without compensation being payable to the owner.

[d] The right to place and maintain, or put any additional inscription on a memorial on a grave space, or in a planting area adjacent to it, **in which no exclusive rights have been granted** will be granted by the Council for a period of 14 years from the date of the interment of the person commemorated. The right will be granted to the person who appears to the Council to be the next of kin of the deceased person commemorated.

[e] At the expiration of any grant under the above, or of any extension of such period, the Council may move the memorial/plaque to another place in the Memorial Garden, preserve it elsewhere, or remove and destroy it without compensation.

[f] No unauthorised person will be permitted to carry out the work of placing, repairing, altering or adding to any memorial.

[g] In the construction of memorials materials used shall be of the best quality and description and no memorial shall be constructed in plastic or wood, natural stones only being permitted. Trade names are not permitted on any part of a memorial/plaque. No memorial or plaque may be bored to incorporate a metal flower holder. Memorials should be inscribed at the base in 1 inch [2.5cms] lettering with the plot number of the grave space at which it is to be placed. All work in connection with memorials and any necessary reinstatement arising there from shall be done to the satisfaction of the Council.

[h] Installation of memorials is permitted during normal opening hours only. During the installation of the memorial, all materials and equipment shall be conveyed to the area in such a manner as to prevent damage to walks, paths, roads or turfed areas and all soil or waste material shall be removed in a like manner. Mats, boards or canvas shall be used as approved by the Council to achieve this end. All debris or surplus material must be removed from the site, and any damage caused to adjacent graves or memorials must be made good to the satisfaction of the Council. If any damage be caused to the grass, shrubs, buildings, memorials or other property by the bringing in or removal of materials, whilst the work is in progress, or otherwise, the person or persons causing such damage shall reimburse the expense of making it good. No hewing or dressing of memorial stones will be permitted in the site. The area must be left in a clean tidy state.

[i] The owner is responsible for maintaining the memorial. They are to be kept clean and in good repair by owners, or their lawful successors. If the owner fails to comply with this regulation, the Council reserves the right to remove any memorial after notifying the owner by letter to the owner's last known address of its intention to remove the memorial/plaque after the expiration of three months. Notices of the Council's intention will also be placed in the Memorial Garden and published for 2 successive weeks in a local newspaper. Plaques/memorials can be removed without compensation being payable to the owner.

[j] The Council reserves the right to inspect and test memorials/plaques and to temporarily make safe any unstable memorial pending notification to the owner who must then arrange for repair by a Memorial Mason at the owner's expense. The Council may require the owner of any monument, gravestone or other structure, which in their opinion has become unsafe, to remove it. If the owner fails to comply with any such requirement within 14 days or, if in the opinion of the Council, the removal should be effected immediately then the Council may carry out the work without incurring any liability for any damage arising. Plaques/memorials can be removed without compensation being payable to the owner.

[k] The Council does not accept responsibility for the removal and replacement of memorials for the re-opening of graves in Section F. This is the responsibility of the funeral director, who is also responsible for the repair of any damage caused. Any memorial that is replaced on its respective grave following an interment will be inspected and any defects identified are to be repaired at the expense of the registered grave owner. The removal and replacement of a memorial to facilitate the reopening of a purchased grave shall be at the expense of the owner of the Exclusive Right of Burial.

[l] The Council will not be responsible for any damage to monuments, gravestones and other structures other than damage occasioned by the negligence of its officers, agents, servants or workmen.

[m] Temporary wooden crosses or small bronze plaques, of a suitable size, are permitted to be placed in designated planting areas.

[n] Soliciting for orders within the Memorial Garden for the placement or repair of any memorial or plaque, or for any other work connected with graves, is strictly prohibited. The Council reserve the right to exclude from the site any person or company or firm on whose behalf any person has been found soliciting or suspected of doing so.

[o] The Council has the power to remove unauthorised and unsafe memorials. The Council also reserves the right to remove or alter the position of others [following expiry of the relevant grant] if such a course appears to the Council to be desirable, after the expiration of three months following notification to the owner by letter to the owner's last known address of its intention. Notices of the Council's intention will also be placed in the Memorial Garden and published for 2 successive weeks in a local newspaper. Plaques/memorials can be removed without compensation being payable to the owner.

6. General

[a] Visiting the Memorial Garden. You are required to respect the peace and dignity of the Memorial Garden and behave in a decent, quiet and orderly manner. **No children under the age of 12 years** are allowed unless accompanied by a responsible adult. **Dogs** should be kept on a lead with their owner and any mess removed. Vehicles are to be kept on the roadway and the speed to a maximum of 10mph. Cycles or Motor Cycles must not be ridden within the site. No alcohol or illegal substance is to be brought into, or consumed within the

Memorial Garden. Smoking is not permitted. Litter is to be placed in the bins provided. The playing of music in any form is prohibited except with permission of the Council.

[b] The lawns of the Memorial Garden are an amenity for the benefit of all visitors and should be kept as such. Burial plots shall be levelled, grassed and maintained as a lawn by the Council. The turfed area of the grave therefore must not be cut to form a flowerbed and no gravel or stones may be placed around memorials, or other item on the grave plot. The Council reserves the right, without compensation, to remove any such item which has been placed on the grave plot in contravention of these regulations. Grass cutting will be carried out by the Council at a frequency determined by weather conditions and by the Council. Within the areas not in current use, maintenance will differ from the normal grass cutting cycle and be determined by the Council.

[c] Natural wreaths only may be placed on the grass in areas where there are no adjacent planting areas. Please remove all wrappings and dispose of them in the bins provided. If it is desired to keep the flowers in water, a spiked plastic vase, obtainable on site, may be placed into the grass. Flowers and wreaths may remain on a grave for up to 4 weeks, after which they and any plastic spiked vase will be removed. The Council will allow further flowers or wreaths to be placed in all such areas, at the time of a special occasion or during the Christmas period.

[d] In the interests of Health and Safety, no glass or porcelain containers are permitted anywhere and the Council prescribe the use of metal or other unbreakable material for flower/plant containers. The Council regrets that no responsibility can be accepted for the removal of, loss of, or damage to flowers or vases. Planting areas are provided for the placement/cultivation of flowers or other plants in some sections. Flowers are to be removed when dead. Artificial flowers will be allowed in the planting areas for a limited time, but will be removed after 3 months or when they become faded. The Council shall be at liberty to remove any moveable articles that are broken or have become unsightly.

[e] No dressing of the graves is permitted. This includes scarves, ribbons, soft toys, garden ornaments, tinsel etc. The Council will only allow the placing of small mementoes where this involves children, with the prior consent of the Council. If there is any doubt please contact the Clerk for clarification. Any such item will be removed and disposed of by the Council after the expiry of 12 months from the date of the interment.

[f] Memorial Seats. The Council may allow the purchase of a seat with either a carved inscription or a bronze plaque placed on the top back rail in memory of a deceased person. The seat will be sited as close as possible to the position you require. Please contact the Clerk of the Council for details of suitable seats that can be purchased. Wooden seating is not being used on this site.

[g] Bulb donations. There is a provision for the donation of bulbs to be planted within the Memorial Garden. The bulbs will be planted in a position deemed appropriate by the Council - For a full list and further details please contact the Clerk. Inappropriate varieties, such as Spanish Bluebells, will not be allowed.

[h] Perennials, shrubs and trees may be sponsored in memory of a loved one. Please contact the Clerk to view the approved list. The Council reserves the right to decide where these will be planted and to use their own contractor at the appropriate time to plant them, also to trim or remove trees or plants donated, if they become diseased or a Health and Safety risk. No trees can be planted in any part of the ground except by the Council. In areas where the planting of flowers, shrubs or plants is permitted the growth shall not exceed four feet [1.2m] in height and the Council reserves the right to prune, cut down or dig up and

remove any flower, shrub or plant at any time when, in the opinion of the Council, the same has become unsightly or overgrown.

[i] Service graves. If desired by the family, in order to allow the use of the standard service memorial, these may be exempt from the rules relating to the size of memorials and planting of the grave area although the burial plot would have to be allocated in an appropriate area determined by the Council.

[j] Staff working on behalf of the Council. Visitors or persons attending funerals shall not interfere with the employees of the Council at their duties. The Council forbids any gratuity being offered or received by any of their employees or the carrying out of private work of any kind in connection with the Memorial Garden.

[k] The Council accept no liability whatsoever for death or personal injury, loss of, or damage to, property or any other loss, damage, costs and expenses caused to persons entering the Memorial Garden.

[l] Regulations and Charges/Fees. The Council reserve the right to alter or amend these regulations at any time; to introduce further regulations, as they consider necessary; to waive any of the foregoing regulations in exceptional circumstances or to impose temporary restrictions on any matters not specifically covered in these regulations. The Council reserves the right to alter or amend the Schedule of Charges likewise.

7. Offences in the Memorial Garden

[a] Unlawful behaviour. No person shall behave in any way so as to create any disturbance, commit any nuisance, interfere with any burial taking place, or interfere with any grave, memorial or plaque, or any flowers or plants or play at any game or sport. The Council reserves the right to exclude anybody behaving inappropriately or in breach of these regulations.

[b] Unlawful entry. No unauthorised person shall enter or remain at any hour when it is closed to the public.

[c] Unlawful use. No burial shall take place, and no memorial or plaque shall be placed, and no additional inscription shall be made on any memorial, without the permission of the Council. The scattering of cremated human remains [ashes] above ground is not permitted under any circumstances.

[d] Unlawful action. No body shall be buried, or cremated human remains interred in, any grave in which an exclusive right of burial for the time being exists except with the consent in writing of, the owner of the right.