

# **Cemeteries and crematorium: Rules and regulations**

# 1. Introduction

All local authority managed cemeteries and crematorium are subject to standards and conditions known as cemetery and crematorium rules and regulations. These are designed to inform all visitors of the aspects of the management of the cemeteries and crematorium and the reasonable requirements applicable to them.

The regulations include the statutory requirements contained within the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977 together with any other relevant legislation that governs this service.

The following cemeteries and the crematorium are covered by these regulations:

- Blacon Cemetery, Chester
- Neston Cemetery, Neston
- Overpool Cemetery, Ellesmere Port
- Overleigh Cemetery, Handbridge
- Wharton Cemetery, Winsford
- Chester Crematorium

Cheshire West and Chester Council reserve the right to make alterations in or additions to these rules and regulations, fees and charges specified herein.

## Interpretation of terms

Throughout these rules and regulations: -

- **“The Council”** means Cheshire West and Chester Council
- **“Cemeteries and crematorium”** means the services provided and maintained by the Cheshire West and Chester Council.
- **“Purchased grave”** means any earthen grave, where the exclusive right of burial (subject to these regulations) has been granted by the Council.
- **“Public grave”** means any earthen grave, where the Council has not granted the exclusive right of burial.
- **“Memorials”** means all memorials that are authorised to be permitted within the cemetery.

## **2. Cemetery and crematorium service**

The cemetery and crematorium service is responsible for the management of the following sites:-

- Chester Crematorium, Blacon Avenue, Chester
- Blacon Cemetery, Blacon Avenue, Chester
- Neston Cemetery, Raby Park Road, Neston
- Overpool Cemetery, Rivacre Road, Ellesmere Port
- Overleigh Cemetery, Handbridge Road, Handbridge
- Wharton Cemetery, Crook Lane, Winsford

All enquiries should be made to the cemeteries and crematorium team at

Cemetery and crematorium service  
Blacon Avenue  
Chester  
CH1 5BB

Telephone number: 01244 972428

Email address: [crematorium@cheshirewestandchester.gov.uk](mailto:crematorium@cheshirewestandchester.gov.uk)

### **Office opening hours**

Monday to Friday: 8am to 3pm

## **3. Cemetery and crematorium opening hours**

The sites are locked each evening at the times stated. All persons visiting the cemetery or crematorium grounds must vacate the premises prior to these times in order to secure the sites.

It may be necessary at times to lock the gates earlier than stated, due to circumstances beyond our control. If this is necessary appropriate notices will be displayed advising visitors of this.

- April to September: 8 am to 7 pm
- October to March: 8am to 5pm

### **Wharton cemetery**

Open all year round due to local church located within cemetery grounds.

#### **4. Hours of interment**

- 9.30am to 3pm for the interment of cremated remains.
- 10.30am to 3 pm for a full burial (Monday to Thursday) 2.30pm (Friday)

Requests for interments later than the above times will incur an additional late funeral fee.

Interments will not be allowed on Saturday, Sunday, Christmas Day, Good Friday or public holidays.

In cases of emergency where the burial must take place on one of these days a medical certificate must be produced to confirm that the immediate burial is necessary on the grounds of public health.

#### **5. Notice for interment and cremation bookings**

All Interment and cremation requests must be made on the appropriate documentation supplied by the Council. The details provided must be clear and complete.

It is the full responsibility of the funeral director to ensure that all paperwork is delivered to the crematorium office within 48 hours of the burial or cremation service. Failure to provide the information within time may result in the cancellation of the cremation service.

N.B. Only the grave owner can authorise the re-opening of the grave space. Therefore if the original grave owner is deceased, arrangements must be made to officially transfer the ownership prior to the requested opening of the grave.

#### **6. Ministers and clergymen**

A burial or cremation can take place with or without a religious service. It is the responsibility of the funeral director or bereaved family to arrange for a Minister or other persons authorised to officiate at the service.

#### **7. Cemetery and crematorium chapels**

Chapels are available for hire within the following cemeteries: Blacon, Overpool, and Neston.

The time allowed for a service in the cemetery chapel is approximately thirty minutes. Consideration will be given to extending these service times upon request.

## **8. Alteration to funeral or cremation arrangements**

All alterations must be confirmed by the funeral director in writing.

In this case written notice must be provided no later than 1 working day (24 hours) before the interment or cremation is due to take place.

The Council will not be responsible for any misunderstandings, which may arise as a result of a telephone instruction only.

Any additional expense incurred by the Council as a result of incorrect information having been supplied will be charged to the person making the application.

## **9. Character of coffins**

The majority of coffins purchased are made out of wood and these are accepted. The Council will consider requests from those who wish to use alternative perishable materials.

Coffins used for cremation must conform to the guidelines produced for funeral directors by the Federation of Burial and Cremation Authorities.

## **10. Disposal certificates**

No funeral can take place without a certificate for disposal or the Coroners Order for burial. The appropriate documentation must be first provided to the Council representative at the cemetery before the interment can take place. Failure to provide the necessary documentation will result in the delay of the burial until the certificate is produced.

## **11. Arrival of the funeral cortege**

The time stated for a funeral must be punctually observed to prevent inconvenience or one funeral interfering with another. Any funeral arriving before the time appointed may have to wait until the time arranged.

Any funeral arriving after the appointed time must act under the direction of the Council representative as to when the burial may proceed. Late arrival will incur additional charges.

All funeral corteges are under the control and direction of the Council representative. The Council representative will check the coffin plaque details against the appropriate certificate produced for disposal to ensure correctness.

Where car parks are available private cars must park in these and not beyond the boundaries of the car park.

If it is anticipated that a large number of persons may be expected to assemble at any one burial, this must be reported to the cemeteries office the day before the proposed burial in order for arrangements to be made accordingly.

## **12. Cemetery records**

As soon as is reasonably practicable all details relating to a burial are recorded within registers provided by the Council. Documentation relating to new graves is sent direct to the purchaser.

Private graves registers are available for public perusal and are kept at the appropriate cemetery office for that area.

Area plans relating to burial sections and individual grave spaces are also available for inspection and copies available upon request. Any person who wishes to inspect the private graves register or cemetery plans must first make an appointment to do so.

All records for the five cemeteries and Chester Crematorium are available on the deceased online website at [www.deceasedonline.com](http://www.deceasedonline.com).

## **13. Purchasing a private grave space**

The Council will provide a document titled 'exclusive right of burial' upon receipt of the purchase of a new grave. This document is proof of ownership.

This document must be produced to the Council when a request is made to re-open the grave.

The period of which the exclusive right of burial is granted is 60 years. This means that once the title deed period has expired families do have the option of extending this grant for a further period. Upon the expiry date the ownership of the grave space will revert back to the Council if the family have expressed no desire to extend the grant period.

The Council does not accept requests for the advance purchase of any type of grave space. This is to ensure availability of the service for those that need the graves now and not later.

## **14. Allocation of grave spaces**

The choosing of the position of a new grave space is managed by the cemetery office. Burials will only be allowed in designated areas previously laid out for burial. These areas are identified on the cemetery plans.

## **15. Private graves**

No grave in which the exclusive right of burial has been purchased shall be opened without the signature of the owner or his/her next of kin or assignees.

## **16. Transfer of grave ownership**

In the event of the death of the original grave owner, the person claiming to be entitled to the ownership rights must obtain a formal transfer of ownership with the Council.

A copy of the last will and testament identifying the executor/executrix will be accepted as proof of intended ownership. If this information is not available then the full names and addresses of all surviving children of the deceased will be required to prepare the title deed/ownership transfer. This procedure is to ensure that the remaining family of the deceased agree to that person taking over the ownership rights of the grave space.

The formal transfer must take place before funeral arrangements are made to re-open the grave space or approval granted on any proposed memorial work.

## **17. Type of burial areas**

The Council currently provides burial areas to cater for the following denominations: Roman Catholic, Church of England, Non-Conformist and Muslim (currently at Blacon Cemetery only). There are also inter-denominational burial areas.

## **18. Burial area descriptions**

### **18.1 Traditional burial areas**

Grave owners are advised that the grave space can be tended to on an individual basis and flowers or bedding plants can be provided appropriately by the grave owner.

It is Council policy that items such as wooden crosses, man-made fencing/kerbing, solar lights etc are not permitted either as a temporary or permanent measure. Such items hinder the maintenance of the grave spaces and the council will not be held responsible for damage to unauthorised memorials.

The placing of glass vases or ornaments is strictly forbidden; this type of ornament can severely hurt someone if the item becomes broken. The grave owner under the health and safety of the site will be liable if a member of staff or visiting public is injured by broken glass.

The Council reserves the right to take over the grave maintenance and remove illegal memorials without notice to the grave owner where it has been determined that the grave has not been suitably maintained by the grave owner.

## **18.2 Lawned areas burial areas**

Rows of concrete plinths are provided to allow for the immediate installation of an approved memorial.

It is Council policy that no item of whatever description is allowed to be placed upon the actual grave space in a lawned area. These items include wooden crosses, fencing, kerbing, bedding plants, vases, flower displays, windmills etc. either as a temporary or permanent measure.

Items will be removed and either placed on the plinth provided or removed completely from the burial area without notice to the grave owner.

## **18.3 Baby section**

Traditional baby section: Headstones shall be of an approved design, commonly referred to as “stick in the mud” type and shall be constructed of white marble only.

Personal items of testament left on the traditional burial area are the sole responsibility of the grave owner. The Council are not responsible for the loss of such items. In view of this possibility the placing of such personal items is not recommended.

The Council reserves the right to take over the grave maintenance within a traditional burial area without notice to the grave owner where it has been determined that the grave has not been suitably maintained by the grave owner.

Lawned baby section: Plinths are provided for the immediate installation of a memorial headstone. No item of whatever description is allowed on the actual grave space. Items will be removed and either placed on the plinth provided or removed completely from the burial area without notice to the grave owner.

## **19. Temporary grave markers**

The Council will provide at each funeral a temporary grave marker. The purposed of the grave marker is intended to temporary mark the grave only. The marker will be removed by staff when it is noticed that a memorial has been fitted.

## **20. Up-keep of private grave spaces**

All graves situated within traditional sections of the cemetery must be maintained to an acceptable standard by the grave owner.

The Council reserves the right to take over the maintenance without notice to the grave owner, of any grave space that has not been suitably maintained by the grave owner. To avoid accidents and to retain a well-maintained appearance damaged/ broken/discarded items found on all burial areas will be removed and disposed of.



## **21. Burial excavation procedures**

All grave spaces are excavated by trained cemetery personnel. No grave shall be dug or excavated by any other person unless appointed by the Council. The final dressing of the grave space will normally be completed one hour before the cortege is expected to arrive. Adjacent grave spaces will be required for the placing of spoil. The grave will be fully reinstated to its original appearance once the interment has taken place.

Requests for personal involvement during these procedures will be considered upon request.

## **22. Depth of graves**

No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave. Unless, provided that the burial authority consider the soil to be of suitable character, permit a coffin made of perishable materials to be placed not less than two feet below the level of the ground adjoining the grave.

The coffins in the grave must be separated by means of a layer of earth not less than six inches in thickness.

When a grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove therefrom any soil, which is offensive.

## **23. Interment of cremated remain caskets**

The burial of cremated remain caskets are allowed in existing full grave spaces in the cemetery.

If the grave has a full kerb memorial present it is recommended that this is removed to allow staff to place the cremated remains casket within the grave space. Grave owners who choose not to remove the full kerb must accept that the casket may not be fully buried within the grave space.

Where a further full coffined burial is required, the cremated remain casket will be positioned to a sufficient depth to ensure that the casket is not disturbed in any way in the future.

## **24. Scattering of cremated remains**

A number of the cemeteries in the area provide designated scattering areas. The responsibility for the scattering of ashes lies with the Council.

For requests using a private grave space a small area will be dug to allow for the pouring of the ashes into the grave. The grave area will then be reinstated for privacy. Requests for scattering must be made on the appropriate form supplied by the Council.

## **25. Grave reinstatement**

Whenever an interment has taken place the grave will continue to settle for approximately six months or longer depending upon soil conditions.

During this time cemetery personnel will level the grave with topsoil as and when required. Graves can also settle unexpectedly during inclement weather conditions, if this happens arrangements will be made to level the grave as soon as possible.

No shrubs or trees must be planted on any grave space.

The Council reserves the right to remove any shrubs, plants or flowers at any time when in their opinion the same have become unsightly or overgrown.

## **26. Removal of floral arrangements and Christmas Wreaths**

Staff will remove all funeral flowers and oasis displays when they have perished. Christmas wreaths, oasis displays, tributes will be removed and disposed of in February each year. Visitors who would like to retain their wreath are advised to retrieve them at the end of January.

## **27. Garden of remembrance areas**

### **Fresh flowers**

The temporary placing of fresh flowers following a scattering is permitted. Flower containers have been provided for the placement of fresh flowers only. All fresh flowers will be removed by staff when they have perished.

### **Other items**

The placing of vases, trinkets, plastic flowers, solar lights etc is not permitted within the garden of remembrance areas. These areas are monitored weekly by staff who will remove any item positioned within the garden areas.

## **28. Book of remembrance and commemorative cards**

The Council provides a book of remembrance at Overpool, Neston and Blacon cemeteries, which is housed in a glass cabinet within the cemetery chapels or other ancillary buildings. Requests for inclusion within the book of remembrance must be made on the application forms provided.

Book of remembrance room at Chester Crematorium – staff will remove all floral tributes when they have perished.

## **29. Memorial wall plaques**

The Council offers memorial wall plaques at Overpool, Neston and Chester Crematorium for families who wish to commemorate the memory of their loved ones. There are a number of differing designs of wall plaques available.

Application requests must be made to the council on the application forms provided. The responsibility for any loss or damage will remain with that of the applicant. The condition of the memorial plaque will be monitored by the Council and any deterioration reported to the applicant. Plaques that fall into disrepair will be removed by the Council.

## **Walled garden, Chester crematorium**

Within the walled garden at Chester crematorium flower troughs have been provided to enable you to place fresh flowers.

The placing of vases, trinkets, plastic flowers, solar lights etc is not permitted within this area. These areas are monitored weekly by staff who will remove such items.

## **30. Boulder memorials**

Within Overpool and Neston cemeteries the Council offers boulder style memorials, which are housed within the garden of remembrance areas. These are unique memorials solely for the garden areas. The boulders are honeycombe in colour and can be provided with a memorial inscription. Application requests must be made on the application forms provided.

## **31. Granite octagonal sundial memorial**

Within Overpool and Neston cemeteries the sundial memorial graces the garden of remembrance areas within both cemeteries. The sundial memorial has been provided for persons wishing to commemorate the memory of their loved one. The sundial memorial consists of 24 differing size memorial plaques. Application requests must be made on the application forms provided.

## **32. Loan vase scheme**

Upon request from the grave owner, the council will provide a loan vase for a maximum period of six months from the date of interment.

## **33. Memorial masons registration scheme**

The Council operates a memorial masons' registration scheme. No memorial mason will be permitted to carry out work within the cemeteries unless they are registered in the scheme. Any memorial mason who wishes to carry out work within the Council's cemeteries will be required to submit an application to the bereavement services for inclusion within the memorial masons registration scheme.

### 34. Maximum permissible memorial sizes

All new memorials including all concrete foundations and plinths must not exceed the following maximum sizes. A maximum tolerance of 7mm may be accepted depending upon the circumstances, such requests will be subject to further approval before the installation commences. Any memorial mason arriving on site who contravenes this regulation will be refused installation.

#### Traditional and lawned areas

Headstone	Overpool and Neston	Chester Blacon	Chester Overleigh	Wharton Winsford
Height	1219mm (4')	1219mm (4')	N/A	1219mm (4')
Width	914mm (3')	914mm (3')	N/A	914mm (3')
Depth of base	406mm (1'4")	406mm (1'4")	N/A	609mm(2')

#### Lawned baby area

Headstone	Overpool and Neston	Chester Blacon	Chester Overleigh	Wharton Winsford
Height	N/A	N/A	685mm (2'3")	N/A
Width	N/A	N/A	609mm (2')	N/A
Depth of base	N/A	N/A	305mm (1')	N/A

#### Traditional baby area

Headstone	Overpool and Neston	Chester Blacon	Chester Overleigh	Wharton Winsford
Height	N/A	559mm (1'10")	N/A	N/A
Width	N/A	355mm (1'2")	N/A	N/A
Depth of base	N/A	609mm (2")	N/A	N/A

#### Traditional areas

Kerb	Overpool and Neston	Chester Blacon	Chester Overleigh	Wharton Winsford
Length	1981mm(6'6")	1981mm (6'6")	1981mm (6'6")	1981mm (6'6")
Width	914mm (3')	914mm (3')	914mm (3')	914mm (3')

#### Traditional and lawned cremated remains burial areas

Description	Overpool and Neston	Chester Blacon	Overleigh GOR	Wharton Winsford
Headstone or Tablet	1219mm (4' height)	1219mm (4' height)	762mm (2'6" height)	N/A
	914mm (3' width)	914mm (3' wide)	609mm (2' wide)	
	406mm (1'4" depth)	406mm (1'4" depth)	305mm (1' depth)	

### **35. Memorial installation within lawned areas**

Within the lawned areas only the Council provides rows of concrete plinths to allow for the immediate installation of a headstone.

The graves are in rows back to back. Each grave space is entitled to 407mm (maximum) on the plinth for the installation of a memorial. (Excluding the baby lawned burial area)

It is an absolute requirement that the back edge of the memorial base is positioned 407mm from the edge of the plinth measured from the head of the grave. It must be recognised that all of the above requirements must be conformed to. The Council will recall the memorial mason to rectify any works as necessary.

### **36. Baby section within Blacon cemetery**

All headstones within the traditional burial area at Blacon cemetery must be constructed of white marble and shall be of the following dimensions; height 22" (11" of which is to be sunk below ground level), width 14" and depth 2".

Lettering on all headstones shall be in black upper case standard roman characters.

### **37. Approval of memorials for private grave spaces**

Memorials are only allowed on privately purchased graves.

All memorials are subject to Council approval prior to being installed within the Cemeteries. These regulations contain the required standard of the installation of the memorial and the maximum permissible sizes of memorials that can be authorised. All memorial work undertaken must be in accordance with the National Association of Memorial Masons (NAMM) code of working practice.

All applications should be made to the Council on the appropriate memorial application form that the Council provides. The application should indicate to the Council full details on how the memorial is to be installed, including the method of fixing used to secure the memorial to the foundation base.

Each application must include a detailed drawing showing all dimension sizes, the type of material to be used and full inscription details.

All memorials are subject to maximum sizes - any memorial mason arriving on site who contravenes this regulation will be refused installation.

All memorial applications will incur a memorial fee, payable to the Council.

Memorials are not allowed on public grave spaces. Persons wishing to commemorate the memory of a loved one buried within a public grave space do have the option of considering other memorial schemes such as the book of remembrance.

### **38. Memorial permit conditions**

The memorial mason will receive a permit notice allowing for him to carry out the work. Masons must first make an appointment with the office to fix, before arriving at the cemetery.

It is a condition of the memorial permit that all memorials installed within the cemeteries must first have the grave number and section letter clearly and conspicuously inscribed upon it before installation. Memorial masons that do not abide by this condition will be refused installation.

The memorial mason will be responsible for leaving the grave area in a clean and tidy condition once work is completed and is responsible for any damage that may be caused to any surrounding ground or memorial as a direct result of the installation.

The Council reserves the right to remove and to reinstate any memorial or surrounding ground at the memorial mason's expense.

The Council will remove at the expense of the grave owner any memorial that has been installed without the necessary authorisation.

### **39. Times of permitting masons to work**

The work of fixing or removing memorials must be carried out between the hours of 9 am and 3 pm Monday to Friday only.

All memorial masons must first report to the cemetery representative upon arrival at the cemetery. The memorial mason must present the approved memorial permit to the appropriate cemetery personnel.

Any memorial mason arriving without the approved permit notice will be refused permission to install or work on the memorial.

No other work apart from fixing the memorial is allowed within the cemeteries.

### **40. Removal and installation of memorials**

Memorials are not permitted to be installed or removed during the week-ends.

No memorial shall be removed from the cemeteries without the permission of the grave owner or their representative and without the Council being informed as to the whereabouts of the memorial. The Council reserves the right to:

- Remove a memorial headstone from a grave to allow for adjacent graves to be excavated. As soon as the funeral has taken place the headstone will be fully reinstated by the Council.
- Lay flat or make safe any memorial headstone that has been identified as unsafe at the time of checking adjacent headstones prior to excavation operations.

- Remove any unauthorised memorial from a grave.
- Refuse the installation of any memorial that exceeds the maximum size.

#### **41. Maintenance of memorials**

All memorials are the sole responsibility of the grave owner.

Grave owners must ensure that the memorial is kept in good repair. The Council will periodically inspect the cemetery to determine the condition of memorials. Any memorial classified as unsafe will be reported to the grave owner in order for them to arrange immediate repair. If this request is not complied with within three months the Council may lay flat the memorial to remove the danger of instability.

If the grave owner cannot be identified or contacted the Council may arrange any necessary repair. The cost will be registered as a charge against the grave to be repaid by the grave owner/successor at a future date.

The Council has the power to remove any memorial, which they deem objectionable or of unauthorised type or size or which may have fallen into decay or is classified unsafe.

The Council strongly recommends all grave owners obtain an appropriate insurance to protect the memorial from unforeseen circumstances.

The Council will not be responsible for any damage/theft or vandalism or any other circumstances beyond the control of the Council.

#### **42. Fees and charges**

A table of fees is available upon request. The Council reserves the right to revise these fees and charges.

#### **43. Behaviour in cemeteries**

All persons shall conduct themselves in a quiet, orderly and respectful manner and no person shall commit any nuisance within the cemetery or wilfully interfere with any burial taking place. Any person, who wilfully damages, defaces or destroys any property or causes any nuisance within the cemeteries will be liable to prosecution.

No demonstration of any kind shall be allowed within the cemeteries or any religious service other than the service at the time of interment, without prior consent of the Council.

#### **44. Allowances for dogs**

A person shall not allow any dog belonging to them or in their charge to enter the cemetery or crematorium grounds unless it is on a lead.

Persons visiting the site with dogs must ensure that the dog is kept under strict control at all times. Dog faeces must be removed and deposited in an appropriate and responsible manner by the dog owner.

Any person who does not abide by this ruling will be liable to prosecution.

#### **45. Advertisements or selling**

No person shall be allowed to distribute business cards or advertisements within the cemeteries.

No person is allowed to solicit/sell/offer for sale/advertise for sale within the cemetery or at the entrance thereto any article of commodity of any description.

#### **46. Alterations to these regulations**

The Council reserves the right from time to time to make alterations in or additions to these rules and regulations and cemetery charges specified herein.