



ADUR & WORTHING
COUNCILS

Burial Ground Regulations

Approved by Joint Strategic Committee 8 October 2019

Amendments	
February 2020	(5.8) Clarification to lawn cremation memorials
16 April 2020	(4.5) Policy for non-resident charges
25 February 2021	(9.7) Remove: The owner of the right to erect and maintain a memorial must sign the form to give their permission for the proposed memorial/works. (9.7.1) Added guidance where the grave owner is deceased and an additional inscription or memorial is required.
18 November 2022	(2.1) Office opening hours (4.5) Resident and Non Resident Removed
8th August 2023	(10.1) clarified to 10.1, 10.2, 10.3

Adur & Worthing Councils Burial Ground Regulations

1. Introduction

- 1.1. These regulations apply to all burial grounds owned and/or managed by the Council.
- 1.2. Currently the sites include:

Adur District Council

Lancing & Sompting Cemetery

Mill Lane Cemetery

St Nicolas Churchyard

Southwick Cemetery

Worthing Council

Broadwater & Worthing Cemetery

Durrington Cemetery

Worthing Crematorium & Memorial Garden

2. Contact Details

- 2.1. All funeral bookings, general enquiries and comments regarding the Cemeteries should be directed to:

Bereavement Services, Adur & Worthing Councils, Worthing Crematorium, Horsham Road, Findon, West Sussex BN14 0RQ

Telephone: 01903 872678

Email: cemetery@adur-worthing.gov.uk or crematorium@worthing.gov.uk

The office is open from 09.00 to 16.00 Monday to Friday.

- 2.2. These Regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate regulations currently in force.

3. Admission to the Burial Grounds

- 3.1. The Cemeteries are open for visitors every day of the year during the following times:

	Monday to Saturday	Sunday and Bank Holidays
April to September	6am to 8pm	9am to 8pm
October to March	6am to dusk	9am to dusk

Where there are gates, these will be locked at closing time given above, all visitors and their vehicles are asked to leave the cemetery in good time. No person is permitted to be in the Cemetery outside of the published opening hours without the express permission of the Bereavement Services Manager.

- 3.2. The Cemeteries are places of peace and quiet reflection. They are also workplaces. Visitors to the sites are welcome, but please respect the special nature of the sites, the needs of other users, and safety factors. No games, sports, skateboards, roller blades or similar are allowed in the burial grounds. No consumption of alcohol or drugs may take place within the burial grounds, and anybody under the effects of such substances will not be admitted.

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- 3.3. Any person creating a nuisance or disturbance, such as interfering with a funeral, grave, headstone, flowers, trees, etc. will be required to leave the cemetery immediately and may be the subject of subsequent legal action.
- 3.4. Children under the age of 14 are welcome in the cemetery but must be supervised by a responsible adult. It is particularly important that children are not allowed to climb on any monuments, trees or other items within the cemetery.
- 3.5. Dogs must be kept on a lead at all times. Dog walkers must keep their dogs under control on a lead at all times. Any dog mess must be picked up and disposed of properly away from the cemetery.
- 3.6. Vehicles are permitted in the cemetery but must not exceed the speed limit of 10 mph and must obey any instructions given to them by an officer of the Council. Vehicles must stick to the main driveways and avoid parking so as to cause a nuisance or damage to any graves or grassed areas. The Council or any of its employees cannot accept responsibility for the loss or damage to any vehicle or its contents whilst in the Cemetery.
- 3.7. Visitors with disabilities or other special requirements should contact the Bereavement Services Office who will be pleased to assist.

4. **General Regulations**

- 4.1. No employee of the Council is allowed to take any gratuity, or to undertake paid private work of any kind in connection with the cemetery or crematorium either in their own time or during their employed hours.
- 4.2. No person shall canvass or solicit business in the burial grounds without permission of the Bereavement Services Manager.
- 4.3. No commercial filming or photography without the express permission of the Bereavement Services Manager.
- 4.4. All fees for interments or memorial works must be paid in full to the Council in advance. Unless otherwise agreed with the Bereavement Services Manager.
- 4.5. The Council will publish a scale of fees and charges annually.
- 4.6. Strewing ashes in any burial ground other than in the dedicated areas and subject to the payment of the appropriate fee is not permitted.
- 4.7. The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

5. **Graves**

- 5.1. Graves are available in the cemetery, which consists of consecrated and unconsecrated sections. The selection of grave spaces shall be at the final discretion of the Councils, but the wishes of applicants will be met wherever possible.

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- 5.2. Every interment shall take place either in a private or public grave. Private graves are graves to which an Exclusive Right of Burial has been issued. Public graves are graves which remain in the ownership of the Council and to which no specific rights have been granted.
- 5.3. The Exclusive Right of Burial for a grave can be purchased for a period of 50 years. The Exclusive Right of Burial does not allow a memorial to be placed on the grave. The Rights to Erect and Maintain a Memorial are covered in Section 9.
- 5.4. The Exclusive Right of Burial cannot be purchased in advance of need, i.e. graves cannot be pre-purchased or reserved. The Exclusive Right of Burial can only be transferred to another person via the legal process laid out in the Local Authorities Cemeteries Order 1977.
- 5.5. For graves pre-purchased on or prior to 18 October 2019. Where no interment has taken place in a pre-purchased grave, the council may agree to repurchase the rights of the grave. If the Council does agree, a payment of 50% of the original purchase price of the exclusive right of burial will be paid to the holder of the grant.
- 5.6. In public graves, the Council undertakes to leave 20 years before allowing the burial of a person unrelated to the original burial. The Council may allow the burial of related people in the grave before the expiration of 20 years. The Council may also allow the Exclusive Right of Burial to be purchased by a family member before the expiration of the 20 year period.
- 5.7. Memorials will only be permitted on purchased graves. Memorials must conform to the regulations given at 9 below and the Appendix.
- 5.8. The types of graves available are Traditional Graves, Lawn Graves, Muslim Graves, Cremated Remains Graves and Children's Graves.
 - 5.8.1. **Traditional Graves** and **Muslim** graves can accommodate full memorials including kerb sets and can be planted over the length of the grave;
 - 5.8.2. **Lawn Graves** memorials are limited by the width of the border and set height and breadth. Kerbs are prohibited in such a layout to enable grounds maintenance.
 - 5.8.3. **Cremated Remains Graves** are for the burial of cremated remains only;
 - 5.8.4. **Children's Graves** are reserved for the burial of children under 16 and can accommodate full memorials including kerb sets and can be planted over the length of the grave. These graves measure 4 feet 6 inches length by 1 foot 6 inches width. (See Care of Graves and Memorials).
- 5.9. Muslim burials are expected to take place without delay, ideally within 24 hours of death. Worthing Councils have in place a prepared public grave dug to a single depth for shroud burial only. This grave is available to any branch of the Muslim faith. Applicants for burial in the Muslim section may contact Bereavement Services directly or work with us through their own Imam.
- 5.10. All graves will be excavated and prepared for interment by the Council or their appointed contractors only. No other person or company will be allowed to undertake any excavation within the cemetery except with the express permission of the Bereavement Services Manager. The depth of each grave will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977.

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5.11. Following the interment the Council will level the grave and either add topsoil and seed it as appropriate to the season.

6. Coffins

6.1. We recommend coffins and urns for burial must be made from suitable biodegradable materials such as wood, wicker, cane, bamboo, wool, cardboard etc.

7. Booking of Interments

7.1. A provisional booking for a funeral may be made by telephone to the Bereavement Services Office.

7.2. The provisional booking should be followed up by the submission of a completed Notice of Interment (form supplied by Bereavement Services) and either the green certificate given by the Registrar of Birth and Deaths or Coroner's Order for Burial to Bereavement Services at least 72 working hours in advance of the intended date and time of the funeral. Receipt of the fully and correctly completed Notice of Interment will act as confirmation of the provisional booking. Interments for St Nicolas Churchyard require 96 hours notice.

7.3. The **exact size** of the coffin, casket or container must be given in writing to the Council as soon as possible after the provisional booking, together with any other pertinent information relating to its size and shape (eg locking bar handles, casket shape, wicker coffin etc). The Council will subsequently add a suitable amount to the given size in order to determine the dimensions of grave to be excavated.

7.4. As much information relating to the funeral as possible must be given to the Council in advance, especially if it is unusual, eg large number of mourners expected, motorbike cavalcade, jazz band, piper etc.

7.5. If the grave is purchased and is to be reopened for a further interment, the written permission of the registered grave owner must be given on the 'Notice of Interment Form' which can be obtained from the cemetery office.

7.6. It is the responsibility of the person making the funeral arrangements to ensure that any memorial on the grave is removed from it at least 72 working hours prior to the date and time of the funeral.

7.7. The Council will determine the appropriate fees to be paid for the funeral, which must be paid fully in advance if a contract between the funeral arranger and Council is not in place.

8. Interments

8.1. All coffins, shrouds, cremated remains caskets and containers must have a nameplate that identifies the name of the deceased contained within.

8.2. Funerals will normally only be permitted Monday to Thursday 10:00 – 14.00, Friday 10.00 – 13.00 (excluding Bank or other Public Holidays). It may be possible to arrange funerals outside of these times subject to additional cost. Please contact the Bereavement Services Manager if a time outside of the permitted hours is required.

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- 8.3. All funerals will be subject to the control of the Council's designated officer, who will meet the cortege at the Chapel or graveside as appropriate. The designated officer will check the nameplate on the coffin, shroud or casket prior to interments taking place.
- 8.4. The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service and charge an additional fee if work goes beyond the usual working hours.
- 8.5. Services in the cemetery chapel must not exceed 40 minutes, unless special arrangements for a longer time have been made with the Bereavement Services Manager and the appropriate fee paid.
- 8.6. It is the responsibility of the person making the funeral arrangements to organize a Minister or Officiant for the funeral if one is required.
- 8.7. Any floral tributes from the funeral will be placed on top of the grave following backfilling, and will remain in situ for a minimum of 14 days before being cleared by Council staff (unless family have already removed them).

9. Memorials

- 9.1. Adur & Worthing council's issues the right to erect and maintain a memorial. Memorials are periodically inspected with the condition being that the owner of the rights makes any necessary repairs before the right is renewed. Failure to make repairs means that the rights revert to the burial authority and the memorial can be legally removed. This would only be the case if we, the burial authority, were unable to contact the owner of the rights and the memorial was in a dangerous state of repair.
- 9.2. The Council has adopted the [ICCM Management of Memorials](#) Policy dealing with current and future memorial installations, safety inspections and making safe unstable memorials. Masons carrying out work in the burial grounds must comply with this Policy.
- 9.3. All memorials fixed in the cemetery must comply with British Standard 8415.
- 9.4. Only those memorial masons businesses that are British Register of Accredited Memorial Masons (BRAMM) or National Association of Memorial Masons (NAMM) accredited, and those memorial masons that hold a current BRAMM or NAMM Fixer Licence, will be able to work in the cemetery. Fixers who do not hold a BRAMM or NAMM Fixer Licence will only be permitted to work under the direct supervision of a mason who holds a BRAMM or NAMM Fixer Licence.
- 9.5. Memorials will only be permitted on purchased graves. No memorial will be permitted on a public grave.
- 9.6. Memorials other than those fixed by a BRAMM or NAMM accredited memorial mason are not allowed. Fences cannot be erected around a grave nor the space defined other than through planting of suitable plants or the installation of proper kerbsets by a BRAMM or NAMM accredited memorial mason. On lawn sections no planting is permitted and no objects must be placed on the length of the grave.
- 9.7. Before any memorial may be erected or works undertaken to an existing memorial, an application must be submitted to the Bereavement Services Manager on the appropriate form supplied by the Council. On approval by the Council a permit will be issued to the responsible Memorial Mason. The Memorial Mason

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must make an appointment to carry out any works in the cemeteries. The burial authority may grant, on such terms and subject to such conditions as they think proper -

- 9.7.1. to the owner grave or memorial (or to any person who satisfies them that he or she is a relative of a person buried in the grave or vault, or is acting at the request of such a relative and that it is impractical for him or her, or such a relative, to trace the owner of the grave or memorial), the right to place and maintain, or to put any additional inscription on, a tombstone or other memorial on the grave space, grave or vault in respect.
- 9.8. Memorials must be constructed of materials suitable to the environment and period of grave lease. The Council reserves the right to reject an application for any memorial that it deems unsuitable.
- 9.9. The maximum height of lawn memorials is 3' 6", the maximum width is 3' and the depth is 12". Stone memorials must be a minimum of 3" thick. Seek advice from the Bereavement Services Manager if other material is requested. No other items or memorials are permitted as they interfere with the council's maintenance, unless they are incorporated into the design of the memorial.
- 9.10. On traditional graves the Councils will consider applications for larger memorials subject to them being satisfied that the installation is compliant with current recognized industry standards, but no higher than 4' 9". The Council will also consider the installation of kerb sets if they are constructed to current recognized industry standards.
- 9.11. On lawn cremation plots a desk shaped tablet no larger than the plot footprint is permitted. No other memorial or items are permitted as they interfere with the council's maintenance. See Appendix 3.
- 9.12. On traditional cremation plots, a memorial will not exceed the size of the plot footprint. Designs will be considered on an individual basis, it is constructed to current recognized industry standards and with due consideration for adjacent memorials and safety. See Appendix 3.
- 9.13. On children's graves the Councils will consider applications for larger memorials subject to them being satisfied that the installation is compliant with current recognized industry standards. The Council will also consider the installation of kerb sets if they are constructed to current recognized industry standards.
- 9.14. Memorials at Old Shoreham (St Nicolas) need to conform with the requirements of the *General Directions of the Chancellor of the Diocese concerning churches and churchyards* regarding memorial type, inscription and materials and only the following stone will be permitted: Limestone (Portland, Purbeck, Derbyshire, Hopton Wood, Hornbeam, Nabresina, Caen/Normandy), Sandstone (York), Slate (blue/black Cornish, grey/blue Welsh, green Westmoreland), Granite (light to medium grey). The memorial may not be polished beyond a good smooth finish and mirror or high polishes are not permitted. Painting of lettering on memorials is only permitted in a low contrast colour.
- 9.15. The memorial mason must inscribe the company name only on the reverse of the stone towards the base in lettering not more than 1" high. No trademark, phone number or other advertising will be allowed. The memorial mason must also inscribe the grave number towards the bottom right hand side of the reverse of the memorial in letters not exceeding 1" high. On kerbstones the grave number must be inscribed on the right hand side of the foot kerb.

- 9.16. Memorial masons must remove all arisings from the cemetery at the conclusion of their work, and must leave the area in a tidy condition. It is not possible for memorials to be stored in the cemetery prior to re-fixing following a burial – all such memorials must be removed from the site by the memorial mason appointed to remove a memorial prior to the grave being excavated.
- 9.17. During grave digging any nearby / adjacent memorials which pose a hazard to the grave digger will be temporarily moved to a safe distance from the grave to be excavated and replaced immediately following the interment at the council's expense. Bereavement Services will attempt to contact the memorial owner informing them that the actions are intended to reduce risk to the grave digger and also protect their particular memorial from damage should the grave being prepared collapse and their memorial fall.
- 9.18. The owner of the memorial has a responsibility to maintain it during the period of the grant of right to erect it, unless the grant provides to the contrary. The condition, integrity and inherent safety of the monument during its entire lifespan is legally the responsibility of the owner or the applicant if the owner is the last interred deceased.
- 9.19. The burial authority is holding the owner's private property in a public place. The burial authority has the overall responsibility for the safety of any visitors to council run burial grounds.

10. **Care of Graves and Memorials**

- 10.1. All memorials erected are the sole responsibility of the owner/applicant and the Council shall not be held responsible for any damage to or caused by the memorial, however incurred. The memorial remains the responsibility of the grave owner/applicant during the lease period of the grave.
- 10.2. The Council reserves the right to repair or make safe any memorial which becomes unsafe or falls into disrepair, and to recover any expenses from the registered owner.
- 10.3. The Council will undertake routine safety checks on all memorials, and will notify the grave owner/applicant at the last registered address of any necessary works to make the memorial safe. The grave owner/applicant will be given a period of 6 months from the date of the letter to effect the necessary repairs. The Council reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner/applicant does not arrange for the repairs to be made, the Council may repair or remove the memorial at the owner's expense.
- 10.4. The Council recommends that grave owners take out an insurance plan for their memorial.
- 10.5. Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site.
- 10.6. All flower holders or other items left on graves must be made of non-breakable material. Any items left on graves are at the owners' risk and the Council cannot be held responsible for any theft or damage to them howsoever caused. The Council may remove any articles from any grave that are likely to cause risk, damage or offence to other visitors to the cemetery or which interfere with the Council's maintenance of the site.
- 10.7. No trees may be planted on graves. Only suitable planting such as annual bedding or small shrubs only will be permitted on traditional graves. The Council may remove any plants that it considers unsuitable or that infringe on other grave spaces or interfere with the Council's maintenance work.

- 10.8. No memorial benches are permitted other than those purchased from the Council.
- 10.9. Items tied to trees, plants or memorial benches or other public property are not permitted and will be removed at regular intervals.