

# **RULES AND REGULATIONS MADE BY FAKENHAM TOWN COUNCIL FOR THE MANAGEMENT OF FAKENHAM CEMETERIES.**

**(Local Government Act 1972 & Local Authorities' Cemeteries Order 1977)**

## **CONTENTS:**

### **ADMINISTRATION**

### **GENERAL CONDUCT FROM VISITORS TO THE CEMETERIES**

### **OFFENCES IN THE CEMETERIES**

### **PENALTIES**

### **CONDITIONS REGULATING BURIALS**

### **CONDITIONS REGULATING FUNERAL DIRECTORS**

### **CONDITIONS REGULATING GRAVES**

### **CONDITIONS REGULATING EXCLUSIVE RIGHTS OF BURIAL**

### **CONDITIONS REGULATING HEADSTONES, MEMORIALS AND MONUMENTAL MASONS**

### **CONDITIONS REGULATING THE CHILDREN'S SECTION**

### **CONDITIONS REGULATING CREMATION PLOTS**

### **CONDITIONS REGULATING THE PLACEMENT OF BENCHES**

### **FEEES**

### **DEFINITIONS**

## **ADMINISTRATION**

The "Burial Authority" referred to in this document is Fakenham Town Council. These rules and regulations will be applied and enforced by designated officers working for the Burial Authority.

The 'cemeteries' referred to in this document are the Creake Road cemetery on Creake road, Fakenham and the Queens Road cemetery on Queens Road, Fakenham.

The Town Council office will be open on Mondays to Fridays between 10.00am and 2.00pm. On Saturdays, Sundays and Bank Holidays the office will be closed. The Register of Burials and other Cemeteries Records are kept at the Town Council offices where, during normal office hours, enquiries and searches may be made by appointment, on payment of the appropriate fee.

All correspondence should be addressed to: Fakenham Town Council, Fakenham Connect, Oak Street, Fakenham, Norfolk, NR21 9DY Tel no 01328 853653.

These regulations are made under the Local Government Act 1972 & Local Authorities' Cemeteries Order 1977 as amended by Local Authorities' Cemeteries (Amendment) Order 1986 and the Burial Authority will review and amend these regulations as necessary.

Regulations have always existed in cemeteries and are a necessary requirement for the effective management of a burial facility and to ensure that the cemeteries are maintained for quiet contemplation.

These rules and regulations should be read in their entirety. Section headings are not exclusive and all regulations apply equally to all cemetery users.

As well as the following rules and regulations, the Local Authority Cemeteries Order 1977 applies. In particular, Clause 3(1) of this order states that:

'Subject to the provisions of this order, a Burial Authority may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery.'

The scattering of cremated remains in the cemeteries is forbidden.

**All Funeral Directors, Monumental Stonemasons, and any contractors acting on their behalf MUST submit an application for approval before carrying out any work within Fakenham Town Council cemeteries. This requirement applies in all cases, regardless of whether a fee is payable. No works may commence without prior written authorisation from the Burial Authority.**

#### **GENERAL CONDUCT FROM VISITORS TO THE CEMETERIES**

1. All persons are expected to conduct themselves in an orderly manner and should keep to all roads and footpaths when not attending graves. Where vehicular access is possible all vehicles being driven within the cemetery are limited to a maximum speed of 5mph. (Vehicles are prohibited from entering Queen's Road Cemetery other than in connection with funerals and the erection and maintenance of memorials and general maintenance, grass cutting etc. unless special permission is obtained from the Town Clerk.)
2. Children under the age of 11 should be accompanied by a responsible person.
3. Visitors should always remove their dead flowers and other litter or place in the litter bins provided.
4. Dogs on leads are permitted onto the cemetery grounds.
5. No person shall offer goods for sale or solicit orders for the sale of any goods within the cemeteries.
6. Visitors or other persons shall not interfere with any workmen employed by the Burial Authority and shall not employ them to execute any private work whatsoever within the cemeteries.

#### **OFFENCES IN THE CEMETERIES**

7. Visitors must behave respectfully at all times. No person shall:
  - (a) Wilfully create a disturbance in the cemeteries;
  - (b) Commit any nuisance in the cemeteries;
  - (c) Wilfully interfere with any burial taking place in the cemeteries;
  - (d) Wilfully interfere with any grave, walled grave or vault, tombstone or other memorial or building,

or any flowers or plants on any such manner;  
 (e) Play any games or sport in the cemeteries.

8. No person, not being an officer of the Burial Authority, or another person so authorised by or on behalf of the Burial Authority, shall enter or remain in the cemeteries at any hour when it is closed to the public.

## **PENALTIES**

9. Every person who contravenes paragraphs 7 and 8 shall be liable on summary conviction to a fine not exceeding £1,000 and, in the case of a continuing offence, to a fine not exceeding £10 for each day during which the offence continues after conviction therefore, in accordance with articles 18 and 19 of the Local Authorities Cemeteries order 1977.

## **CONDITIONS REGULATING BURIALS**

10. Burials normally take place Monday to Friday between the hours of 9.15am – 3.15pm. The time arranged for the burial service is the time when the cortege should be at the graveside.

11. Saturday burials will only occur with prior approval of the Burial Authority, subject to staff availability. No burials will be permitted on Sundays or public holidays.

12. The Burial Authority may, from time to time, need to make certain burial times unavailable because of operational issues.

13. In some cases, for cultural, religious or public health reasons, there may be a request for a burial to take place at short notice. In such circumstances the Burial Authority will make reasonable efforts to arrange the burial within the specified period, however, as these situations are exceptional, no guarantee can be provided. The scheduling of any funeral is always at the discretion of the Burial Authority.

14. The fully completed Notice of Interment, along with the relevant accompanying burial certificate or order for burial, must be received by the Burial Authority office no later than five full working days prior to the date of the funeral. Failure to provide these documents within the required timeframe may result in delays or cancellation of the funeral.

15. The location of each new burial plot will be allocated by the Burial Authority. The final decision on the allocation and use of any new burial plot rests with the Burial Authority. Location plans and plot numbers for the identification of new or existing burial plots (including those for re-opening) will be supplied only upon receipt of all fully completed and verified documentation, as referenced in paragraph 14.

16. Those families requiring interments to be in a designated faith section should make their wishes clear to their Funeral Director. Such requests will be accommodated subject to sufficient space being available in the appropriate section. No third party has the right to preclude a burial within any burial section.

17. Persons who are authorised by the Burial Authority will ensure the back filling of any graves as necessary. However, in the event of relatives and friends wishing to do so, this will be permitted at the discretion of the Funeral Director and with a minimum of 48 hours prior notice to the Burial

Authority. The Funeral Director will be responsible for all arrangements, including risk assessments, relating to any additional activities at graveside.

18. Funeral Directors must arrange, where necessary, for memorials to be removed from the grave to allow graves to be reopened. The memorial shall subsequently be dealt with in accordance with the directions of the Burial Authority. Responsibility for any memorial removed in error will remain with the Funeral Director at whose expense the memorial will be reinstated to the satisfaction of the Exclusive Right of Burial (ERB) owner.

19. Reinstatement of memorials following an interment is not permitted for a period of six months. After this period has elapsed, the owner of the Exclusive Right of Burial (ERB) may instruct a Funeral Director or monumental mason to proceed with reinstatement, subject to submission of the appropriate application and payment of the applicable fee, if required, to the Burial Authority.

20. Floral tributes that are placed on the grave after a funeral should be removed when the tributes are seen to be decaying. If these are not removed by the owner, the Burial Authority may arrange for them to be disposed of.

21. No grave is to be excavated more than two working days prior to the scheduled interment. Once excavated, all appropriate measures must be taken to ensure the grave is left safe, secure, and protected at all times. Full responsibility and liability for the safety and condition of the grave rests with the Funeral Director and / or their nominated gravedigger.

In certain circumstances, it may be necessary for the soil excavated from a grave to be temporarily placed on an adjacent grave. This will only be done if there is no reasonable alternative. The Burial Authority will ensure that this is for the shortest time possible, and any affected grave will be protected using appropriate boards over the grave and in front of any memorial. Following the funeral, the affected grave will be fully reinstated.

22. All bodies must be prepared for interment before being brought to the cemetery.

23. No coffin/container will be accepted at a cemetery unless the name of the deceased therein is clearly shown.

24. After the coffin/container and body have been committed into the grave they shall not be removed or otherwise disturbed except for lawful exhumation by licence and or faculty or by the order of the coroner.

## **CONDITIONS REGULATING FUNERAL DIRECTORS, MONUMENTAL STONEMASONS AND CONTRACTORS**

All Funeral Directors, Monumental Stonemasons and any other contractors undertaking work within the Council's cemeteries are required to provide the Burial Authority with the documentation listed below **annually**, and **upon request** by the Burial Authority.

### **1. Risk Assessments and Method Statements**

Full and up-to-date risk assessments and method statements detailing how all work will be undertaken and the measures that will be taken to minimise the risk of personal injury or damage to property.

These must cover all activities the organisation is likely to undertake within the cemeteries, including (but not limited to):

- Activities associated with funeral services, including those arising from religious or cultural practices
  - Memorial works
  - Vehicle access, movements and parking within cemetery grounds
  - Any other site-specific risks
2. **Health and Safety Documentation**  
A copy of the organisation's current health and safety policy and any relevant codes of practice.
  3. **Evidence of Competence and Training**  
Evidence that all staff and any subcontractors working within the cemeteries are suitably competent, trained and experienced to carry out the work being undertaken.  
This may include (but is not limited to) training records, qualifications, certifications, or evidence of relevant industry experience.
  4. **Emergency and Incident Reporting Procedures**  
Details of the organisation's procedures for dealing with emergencies, accidents, incidents and near misses, including arrangements for reporting such matters to the Burial Authority where they occur within the cemetery.
  5. **Insurance**  
A copy of valid Public Liability Insurance and Employer's Liability Insurance (where applicable), each with a minimum cover of **£5 million**.  
Updated copies must be provided to the Burial Authority upon renewal of the policies.
  6. **Compliance**  
It is the responsibility of the Funeral Director, Monumental Stonemason or contractor to ensure that all required documentation is submitted, remains current, and is compliant with these conditions.

**Failure to provide or maintain the required documentation will result in the organisation not being permitted to operate or carry out works within the Council's cemeteries until full compliance is achieved.**

---

## CONDITIONS REGULATING GRAVES

26. All graves must be kept flat and level with adjoining ground. Grave mounds will be removed 6 months after an interment and must not be remounded, at the same time grave markers placed by undertakers will be removed. The Burial Authority will make reasonable efforts to contact the Exclusive Right of Burial (ERB) owner/s prior to carrying out this work, giving them the option to level the grave themselves, if they wish. If no response is forthcoming or the grave remains mounded, the Burial Authority will complete the work.

27. No trees, shrubs, or other vegetation of any kind should be planted on or around graves or anywhere in the cemetery and the Burial Authority will remove unauthorised vegetation.

28. To maintain the cemetery and for Health and Safety reasons, tributes are permitted to be placed on the plinth or the headstone or memorial. An unbreakable vase of no more than 8" x 8" x 8" is allowed to be placed in the centre of a grave space for which the Exclusive Right of Burial (ERB) has been purchased.

Tributes of a temporary nature may be placed on the grave space for grieving purposes but shall be removed within 6 -12 months of interment – these must still conform with the rules and regulations as detailed herein.

29. Fencing, enclosures, kerb surrounds or border stones are not permitted on any grave space. However, in order to protect floral tributes from wildlife a small, coated chicken wire fence may be erected on the condition it fits snugly around the plinth of the headstone/memorial/unbreakable vase and does not interfere with maintenance.

30. If there is no headstone or memorial on a grave, tributes must be restricted to an area at the head of the grave in line with other memorials and not exceed an area covering 2ft6" x 1ft. All temporary or undertaker's grave markers will be removed after 6 months. These are not permitted as permanent markers except in cases where they are the sole marker on the grave. Wooden crosses are permitted, subject to an application submitted via an approved monumental mason and payment of the applicable fee to the Burial Authority.

31. Visitors are welcome to place wreaths on graves to mark Remembrance and Christmas. These will be removed when in the opinion of the Burial Authority they become unsightly.

32. In the interests of health & safety any breakable items are not permitted, this includes but is not limited to glass containers, jam jars, milk bottles or similar jars or bottles or receptacles. The Burial Authority reserves the right to remove any items which have been placed on the grave if, in the opinion of the Burial Authority, they present a health & safety risk (particularly if damaged).

33. All objects emitting either noise or light are not permitted, so as to not intrude on other visitors.

34. The Burial Authority is not responsible for any items placed in the cemeteries by exclusive right of burial (ERB) owners or cemetery visitors and may remove any such items placed in the cemeteries at any time and without prior notice. If undamaged, they will be moved to a designated collection point within the cemetery, where they will be held for up to 3 months before being permanently removed.

35. The Burial Authority may take over the maintenance of any grave where, in the opinion of the Burial Authority, the grave has not been suitably maintained. The Burial Authority will make reasonable efforts to contact the exclusive right of burial (ERB) owner prior to carrying out works of this kind (subject to paragraph 40).

36. The Council reserves to itself the right of passage over all graves and, where such a course is necessary, temporarily to cover or remove, without notice, the memorial on any grave in order to permit the re-opening of another grave in the vicinity, or for any other purpose.

### **CONDITIONS REGULATING EXCLUSIVE RIGHTS OF BURIAL**

37. The Exclusive Right of Burial (ERB) must be purchased or transferred, as applicable, prior to an interment, erection of a new memorial or the repair/reinstatement/replacement of a memorial. The right of burial is for a period of 50 years from the date of purchase. The purchaser is not buying the grave freehold and does not own any land. The person who has purchased the right of burial can determine who may be interred in the grave, provided there is sufficient depth remaining. Notwithstanding this, the Burial Authority will determine the total amount of burials and/or cremated remains that may be interred in each grave.

The Exclusive Right of Burial (ERB) also entitles the owner to apply to the Burial Authority, via a qualified monumental stonemason, for permission to erect, amend, repair etc. a memorial on the grave, subject to payment of the applicable fee.

The Exclusive Right of Burial for an interment in a common grave may be purchased at any time but

**must** be obtained prior to any re-opening of the grave or submission of an application to erect a memorial. See paragraph 45 for eligibility criteria.

38. The Exclusive Right of Burial (ERB) may, at the discretion of the Burial Authority, be renewed in increments of 5 years upon expiry, up to a maximum total period of 99 years, subject to payment of the applicable fee.

39. The Deed of Grant issued for the Exclusive Right of Burial (ERB) is a legal and important document. This Deed should be retained in a safe place, as it will be required by the Burial Authority when arrangements are made for any future interment. The Funeral Director will be asked to present the Deed at that time.

Only one Deed will be issued to the nominated point of contact. A purchased Exclusive Right of Burial (ERB) must have at least one named owner, with the option to include up to three joint owners. In all cases, a single point of contact must be nominated for communication with the Burial Authority. Where more than three individuals are legally entitled to the ERB, those entitled may agree to nominate up to three entitled individuals to be named on the Deed. If more than three owners are to be included, this will incur additional charges. The Burial Authority will not mediate or become involved in disputes regarding ERB ownership or entitlement.

40. The Exclusive Right of Burial (ERB) can be transferred through a number of prescribed legal mechanisms. The Burial Authority will advise on the appropriate process based on individual circumstances.

All transfers are subject to fees, the amount of which will depend on the complexity of the situation.

41. Any change of address must be notified to the Burial Authority in order that up-to-date records are maintained and so that the Burial Authority is able to contact Exclusive Right of Burial (ERB) owners as and when required. No responsibility can be accepted for information which does not reach an ERB owner if the Burial Authority has not been informed about a change of address.

42. Graves for which the Exclusive Right of Burial (ERB) applies can only be opened with the written consent of the person to whom the Deed of Grant is issued, unless the interment is to be that of the Deed holder, before which the ERB should be updated. The ERB **MUST** be legally transferred to the person(s) entitled before any application can be made to erect, amend, or reinstate a memorial. The Burial Authority must be contacted as soon as possible to initiate the transfer process in accordance with legal requirements.

43. An interment fee is payable each time a grave is reopened.

44. In the event that the owner of an Exclusive Right of Burial (ERB) wishes to return this right to the Burial Authority, details of the process will be provided on request. The original Deed of Grant must be provided as part of this process. No refund will be made if any burials have been made in the plot. Full details will be provided on application to the Burial Authority.

45. The Burial Authority would normally expect the Deed of Grant to be purchased by the next-of-kin or other close family member and will ask for suitable identification to prove the relationship or legal entitlement. The Burial Authority will refuse to allow the purchase of a Deed of Grant to a third-party if, in the opinion of the Burial Authority –

- i) Such a purchase would present a third party with the opportunity to decide who could, and who could not, be buried within the cemetery.
- ii) Such a purchase would provide an opportunity for the third party to profit from the use of the

grave.

iii) Such a purchase would create a lack of clarity for future management issues, particularly the ownership of, and liability for, any memorial erected on the grave.

## **CONDITIONS REGULATING HEADSTONES, MEMORIALS AND MONUMENTAL MASONS**

Paragraphs 46 – 66 (inclusive) apply to all new memorials and any remedial works to existing memorials where such works are required due to an existing memorial failing a safety inspection (paragraph 59).

Paragraphs 46 – 66 (inclusive) also apply to any memorial which is removed from the cemetery for any purpose and then returned and re-erected within the cemetery. The removal of any memorial for any purpose must always be approved by the Burial Authority.

46. Memorials are not permitted on graves where the Exclusive Right of Burial (ERB) has not been purchased, nor anywhere within the cemetery, unless written permission is granted by the Burial Authority and is in relation to an interment within the cemetery.

47. No memorial shall be erected on any grave unless the Exclusive Right of Burial (ERB) has been purchased, and an application for permission, submitted by a Monumental Stonemason, signed by the ERB owner(s), and approved by the Burial Authority, has been made, along with payment of the applicable fee.

48. Applications for permission to erect a memorial must be via a Monumental Stonemason. The written application must be submitted to the Burial Authority using the current 'Application to Erect a Memorial' form and be accompanied by the appropriate fee. The erection of any memorial is not permitted for a period of six months following an interment.

49. The full design and installation specification must be provided by the monumental mason to the Burial Authority in advance of any works commencing on site.

- a) Headstone – not exceeding 4ft in height – at the head of the grave, not exceeding an area covering 2ft6" x 1ft.
- b) Cremation memorial – not exceeding 1ft6" x 1ft6" - see paragraph 75 for further specifications.

All headstones must be mounted on approved bases only and with foundations which comply with statutory safety regulations in force at that time.

50. The Burial Authority will not be responsible for any accidents or damage to any memorial caused by vandalism, storm, wind, lightning, subsidence, earthquake, general grounds maintenance or any cause that is beyond the Council's control. Owners of memorials are advised to take out appropriate insurance cover against theft or damage.

51. Once installation is complete and responsibility has passed from the Monumental Stonemason, all memorials shall remain at the sole risk of the owner at all times.

52. Each memorial must be maintained in good repair by the Exclusive Right of Burial (ERB) owner. Where a memorial is deemed unsafe, the Burial Authority reserves the right to take any necessary action to make it safe. This may include laying the memorial down or other remedial measures.

53. The Burial Authority reserves the right to refuse permission for any memorial inscription it deems libellous, factually inaccurate, or likely to cause offence to any person or group. Where an inscription includes the name of a deceased person who is not interred in the grave, this must be clearly stated. The Burial Authority also reserves the right to refuse inscriptions, fonts, images, or photographs that it considers unsuitable or inappropriate. The decision of the Burial Authority is final.

54. Any memorial that is erected without the written approval of the Burial Authority is unauthorised and may be removed and stored until such time as a proper application is made and approved. A fee will be charged in respect of the removal and storage in addition to the appropriate erection fee. The Burial Authority will take reasonable steps to ensure the safe removal and storage of any unauthorised memorial but will not be held responsible for any damage that may occur as part of this process.

55. All monumental masons carrying out work in the cemeteries shall have at least one person on site that has been registered or is in the process of being registered with the National Association of Monumental Masons (NAMM).

56. All memorials must be designed and erected in full compliance with BS8415.

57. In order to ensure that all new memorials achieve the performance standard requirements of BS8415, monumental masons should follow the BRAMM (British Register of Accredited Memorial Masons) guidelines (Blue Book) with regard to ground conditions, foundation design, joints and assembly. The Burial Authority may insist on corrective or remedial works if, in the opinion of the Burial Authority, a memorial has not been designed and/or erected in accordance with the BRAMM guidelines. Corrective or remedial works must be completed to the Burial Authority's satisfaction within 28 days.

58. All new memorials will be inspected following the fixing by the monumental mason to ensure that they have been securely installed and do not present a health and safety risk. If, in the opinion of the Burial Authority, the memorial fails this inspection, then corrective or remedial works must be completed to the Burial Authority's satisfaction within 28 days.

59. Whenever a new memorial fails an inspection or fails to meet the criteria detailed in these rules and regulations, the Burial Authority will, in accordance with the circumstances of each individual memorial, take appropriate action to remove any health and safety risks. The Burial Authority reserves the right to charge an administrative fee to the monumental mason or the person to whose order the memorial works were carried out, to cover any costs incurred in this process, including remedial action(s), inspections (including any subsequent re-inspections) and all correspondence.

60. The Burial Authority requires all monumental masons working in the cemeteries to be fully conversant with the BRAMM guidelines. Any relevant revision to these guidelines may, at the Burial Authority's discretion, be applied to the design and erection of all memorials subsequent to the date of the revision. The Burial Authority will make reasonable efforts to inform monumental masons of such changes, but notwithstanding this it is the responsibility of monumental masons to remain fully conversant with the BRAMM guidelines.

61. The Burial Authority may refuse memorial applications from monumental masons who have repeatedly been responsible for memorials which have failed inspections or where, in the opinion of the Burial Authority, there is clear evidence of repeated poor workmanship.

62. All rubbish and surplus materials of any kind arising from an erection, removal, repair, alteration or cleaning of any memorial must be removed from the cemetery by the monumental mason or

person who has carried out the work. Should any such material be left by persons working on memorials the cost of removal and disposal may, at the Burial Authority's discretion, be recharged to the monumental mason who submitted the memorial application or the person to whose order the memorial works were carried out.

63. No hewing or dressing of any memorial will be permitted in the cemetery.

64. No erection or other works to memorials will be permitted in the cemeteries at weekends or on public holidays excepting remedial works in response to health and safety issues. Any such works will be permitted at the Burial Authority's discretion and with formal written approval.

65. The Burial Authority will carry out a continuous programme of safety inspections to establish whether memorials are at risk of falling and causing damage or injury. If any memorial is found to be unsafe the Burial Authority has a duty to minimise the risk and will take the action which best suits the circumstances relating to the individual memorial. Action may need to be taken immediately following an inspection. Please refer to the Memorial Inspection Policy for further details.

66. The Burial Authority will follow relevant guidelines and best-practice and will publish full details of the inspection programme and procedure. The Burial Authority will use its own website, local media and cemetery signage to communicate details of the programme. The Burial Authority will make reasonable efforts to contact Exclusive Right of Burial (ERB) owners, subject to paragraph 41 of these rules and regulations.

## **CONDITIONS REGULATING THE CHILDREN'S SECTION**

The Burial Authority will seek to accommodate the reasonable requests of the families of deceased children and will explain if, for any reason, certain requests cannot be met.

67. Within the designated grave space allocated by the Burial Authority, families may place items of remembrance. However, Exclusive Right of Burial (ERB) owners must be aware that the Burial Authority accepts no responsibility for the safety of such items and any such items are always left entirely at the ERB owner's own risk. For this reason, the Burial Authority advises against placing any items of significant value. The Burial Authority may remove any glass vases, jars or other fragile materials which have been placed on the grave if, in the opinion of the Burial Authority, they present a health and safety risk (particularly if damaged).

68. No fences or edging of any kind will be permitted. However, in order to protect floral tributes from wildlife a small, coated chicken wire fence may be erected on the condition it fits snugly around the plinth of the headstone/memorial/unbreakable vase and does not interfere with maintenance.

69. All plots in the designated children's section will be allocated consecutively by the bereavements officer.

70. All items placed on the grave must be contained within the personal grave space.

71. All objects emitting either noise or light are not permitted, so as to not intrude on other visitors.

72. Items found to be outside the personal grave space will be moved back into the personal grave space. Where there are a large number of items that cannot all be moved into the personal grave space the Exclusive Right of Burial (ERB) owner will be informed by letter and requested to remove

the items. If the ERB owner has not taken action within 14 days of being notified, this will be considered a reasonable time frame, and any items placed outside the personal grave space may be removed by the Burial Authority. If undamaged, they will be moved to a designated collection point within the cemetery, where they will be held for up to 3 months before being permanently removed.

73. In order to prevent memorials being hidden and to maintain the dignity of the burial area items placed on children's graves should not be over 1ft in height. Balloons and soft toys should be removed and properly disposed of before they begin to degrade.

74. The Burial Authority must ensure that the cemeteries are maintained for quiet contemplation by all visitors and may, therefore, remove anything which does not comply with these regulations, which has become unsightly or which may cause distress to other cemetery users.

### **CONDITIONS REGULATING CREMATION PLOTS**

75. All memorials on cremation plots must be no larger than 1ft6" by 1ft6". A flat stone may be a maximum of 4" in height and must be laid level within the borders. An ashes tablet may be a maximum of 1ft in height.

76. Flower containers must be incorporated into the tablet at all times. No other receptacle will be permitted. The Burial Authority may remove any other objects which are not authorised.

77. No fences or edging of any kind will be permitted. However, in order to protect floral tributes from wildlife a small, coated chicken wire fence may be erected on the condition it fits snugly around the cremation plaque and does not interfere with maintenance.

78. No trees, shrubs, plants or any kind of memorial will be permitted on the cremation plots and the Burial Authority will remove unauthorised vegetation.

79. All objects emitting either noise or light are not permitted, so as to not intrude on other visitors.

80. All cremation plots will be allocated consecutively by the Burial Authority.

### **CONDITIONS REGULATING THE PLACEMENT OF BENCHES**

81. The placement of a bench in the cemeteries requires permission to be granted by the Burial Authority.

82. Once a bench has been agreed and sited a plaque or plaques may be affixed to the bench.

83. No plants, pots or other loose items will be permitted around the bench and no additional items can be affixed to any bench.

84. After the bench has been installed an inspection will be carried out to ensure it is satisfactory. If there are any issues regarding the addition of unapproved memorials the bench purchaser will be notified and asked to remove them within 28 days. Where such issues are not resolved within this period, the Burial Authority may remove the bench and/or any memorials for which permission has not been granted. An appropriate charge will be made to the bench owner to cover all costs incurred by the Burial Authority.

85. The Burial Authority will provide routine maintenance.

86. Bench owners will be required to pay the costs of repairing any damage which, in the opinion of the Burial Authority, is not the result of general wear-and-tear. If repairs are not carried out in a timely fashion the Burial Authority will remove any bench that is unsightly or which may present a health and safety risk. A charge will be levied for the re-installation of benches which have been removed and subsequently repaired.

**FAKENHAM TOWN COUNCIL**  
**QUEEN'S ROAD AND CREAKE ROAD CEMETERIES**  
**1 September 2025 – 31 August 2026**

**PART I INTERMENTS**

- |   |  |           |
|---|--|-----------|
| 1 | (i) The body or cremated remains of stillborn child or a child whose age at the time of death did not exceed 18 years.                 | No charge |
|   | (ii) The body of a person whose age at the time of death exceeded 18 years, in a plot not exceeding 7ft by 3ft                         | £250.00   |
|   | (iii) The body of a person whose age at the time of death exceeded 18 years, in a Bariatric Section plot not exceeding 7ft by 4ft6"    | £375.00   |
| 2 | For the interment of cremated remains in a designated Ashes Section, or in any other section when an existing grave is to be reopened. | £150.00   |

Where ashes are to be interred outside of a designated Ashes Section, and this constitutes the first interment in the plot, the appropriate interment fee for that section will apply.

**PART II EXCLUSIVE RIGHTS OF BURIAL IN EARTHEN GRAVES**

**Exclusive Right of Burial MUST be purchased at the time of interment.** Common graves **cannot** be re-opened unless an ERB is purchased — see paragraph 45 for purchaser eligibility.

- |   |  |           |
|---|--|-----------|
| 1 | (i) Exclusive right of burial (50 years) for a plot in the Children's Section (up to 18 years of age)                                  | No charge |
|   | (ii) Exclusive Right of Burial (50 years) for a plot outside the Children's Section (up to 18 years of age)                            | £90.00    |
|   | (iii) Exclusive right of burial (50 years) for a plot not exceeding 7ft by 3ft   | £325.00   |
|   | (iv) Exclusive right of burial (50 years) for a plot in the Bariatric Section not exceeding 7ft by 4ft6"                               | £488.00   |
| 2 | Exclusive right of burial (50 years) for a cremated remains plot not exceeding 2ft by 2ft, located in a designated Ashes Section only. | £150.00   |

Where the Exclusive Right of Burial is for the interment of cremated remains outside of a designated Ashes Section, the appropriate fee applicable to that section will apply.

- |   |   |                    |
|---|---|--------------------|
| 3 | Transfer fee for Exclusive Right of Burial<br>Initial fee includes first 2 hours of consultation, legal documentation preparation, and issuing of Deed. Thereafter an hourly rate will apply. | £40.00<br>£22.00ph |
|---|---|--------------------|

- |   |  |        |
|---|--|--------|
| 4 | Optional 5-year renewal of Exclusive Right of Burial up to a maximum of 99 years | £40.00 |
|---|--|--------|

### **PART III MONUMENTS, GRAVESTONES, TABLETS AND MONUMENTAL INSCRIPTIONS**

All fees listed in this section include the cost of the first inscription

- |   |  |         |
|---|--|---------|
| 1 | For the right to erect or place on a grave or vault in respect of which the exclusive right of burial has been granted:            |         |
|   | (i) A flat stone   |         |
|   | (a) not exceeding 1ft6" by 1ft6" and 4" in height  | £100.00 |
|   | (b) not exceeding 1ft6" by 1ft6" and 4" in height, on the grave of a child whose age at the time of death did not exceed 18 years  | £45.00  |
|   | (ii) An ashes tablet   |         |
|   | (a) not exceeding 1ft6" by 1ft6" and 1ft in height   | £150.00 |
|   | (b) not exceeding 1ft6" by 1ft 6" and 1ft in height on the grave of a child whose age at the time of death did not exceed 18 years | £60.00  |
|   | (iii) A headstone  |         |
|   | (a) not exceeding 4 feet in height   | £325.00 |
|   | (b) not exceeding 4 feet in height on the grave of a child whose age at the time of death did not exceed 18 years                  | £80.00  |
|   | (iv) A memorial vase   |         |
|   | Must be unbreakable, made of natural stone or similar durable material consistent with headstone construction                      | £80.00  |
| 2 | For the right to erect or place on a Common Grave:   |         |
|   | i) a wooden cross not exceeding 1ft6" in height  | £60.00  |

(It should be noted that no rights of burial are granted or implied with this right and the grave remains common. (The cross must not be cemented in the ground)

Additional inscriptions (per inscription)	£70.00
---	--------

### **PART IV SEARCHES OR REGISTERS AND COPIES TAKEN THEREFROM**

Every search covering a period of not more than one year	£22ph charged
Every additional year	in full hour
Every certified copy of an entry of burial in the registers	increments

**All fees, payments, and charges listed in this section apply to residents. For all non-resident cases, fees, payments, and charges will be doubled, except for fees listed at Part II paragraph 3 Transfer fee for the Exclusive Right of Burial only, which apply at the standard rate regardless of residency.**

## Definitions

### RESIDENT AND NON-RESIDENT FEES - THE CRITERIA AND RULES

#### **Resident**

A person (adult or child) will be considered a resident if, at the time of death, they:

- had lived within the Parishes of Fakenham (including the west side of Sandy Lane and Sculthorpe Eastgate), Hempton, or Pudding Norton, and
- had been registered for Council Tax and/or on the Electoral Register (where applicable) for a minimum of one year.

For a stillborn child or a child under 18, residency may be established if at least one parent or legal guardian meets the above criteria.

#### **Non-resident**

A person (adult or child) will be considered a non-resident if they do **not meet the definition of a Resident** (as outlined above), **unless** the exception below applies.

In the case of a stillborn child or a child under 18, this applies if **neither** parent or legal guardian meets the Resident criteria.

#### **Exceptions where the Resident fee may still apply:**

The Resident rate **may be granted** if:

- The deceased was a former resident who moved outside the parish to receive end-of-life care (e.g. in a care home or hospice), within one year of death, and
- The applicant provides sufficient proof of previous qualifying residency, such as a Council Tax bill, driving licence, or other acceptable evidence, and
- All relevant details are included in the application.

If evidence cannot be provided, or residency cannot be verified, the non-resident rate will apply.

### **Exclusive Right of Burial Purchase, Interments & Memorial Applications**

#### **Exclusive Right of Burial (ERB)**

Grave space reservations are not permitted. Exclusive Rights of Burial must be purchased at the time of any new interment.

#### **Common Graves**

The Exclusive Right of Burial for a common grave may be purchased at any time but **must** be obtained **prior to any re-opening of the grave or submission of an application to erect a memorial**. See **paragraph 45** for eligibility criteria.

The ERB purchase fee will be based on the residency status of the \*purchaser(s), in accordance with the criteria set out above.

**Transfer of Ownership**

If the ERB of an unused, previously reserved grave is to be transferred to a new \*owner(s), residency status will be assessed in accordance with the criteria set out above. A transfer from a resident to a non-resident will result in the higher (non-resident) ERB purchase fee being retrospectively applied in addition to the standard transfer fee.

**Interments**

Interment fees will be charged based on the residency status of the deceased being interred, in accordance with the criteria set out above. Specific examples are provided below for clarity:

**Purchase and Interment at Point of Use**

Where an ERB is purchased at the time of interment (as is now required), the applicable ERB and interment fee will be based on the residency status of the deceased, in accordance with the criteria set out above, not the ERB purchaser.

**Use of Previously Reserved Graves (Reservations No Longer Permitted)**

Interment into a previously reserved grave will be charged based on the residency status of the deceased, in accordance with the criteria set out above, not the ERB owner.

**Interment into a Re-opened Grave**

If a grave originally used for a resident is to be re-opened for the interment of a non-resident, in accordance with the criteria set out above, the non-resident interment rate will apply.

**Memorial Applications**

All memorial application fees will be based on the residency status of the applicant i.e. the ERB \*owner(s), at the time of the application.

**\* To qualify for the resident rate, *all* named ERB owners must meet the residency criteria.**

*Reviewed and ratified at Facilities & Amenities Committee 10<sup>th</sup> February 2026*