RULES AND REGULATIONS MADE BY FAKENHAM TOWN COUNCIL IN ITS CAPACITY AS BURIAL AUTHORITY FOR THE MANAGEMENT OF FAKENHAM CEMETERIES.

Made pursuant to the Local Government Act 1972 & Local Authorities' Cemeteries Order 1977 (as amended)

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ADMINISTRATION

In these Regulations, the "Burial Authority" means 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 these Regulations are Creake Road Cemetery, Creake Road, Fakenham and Queens Road Cemetery, 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. The Burial Authority reserves the right to review, amend and update these Regulations from time to time, as necessary.

These Regulations are made to ensure the proper management, regulation and control of the Cemeteries and to provide a respectful, safe and dignified environment for all users. Compliance with these Regulations is a condition of using or undertaking work within the Cemeteries.

These rules and regulations should be read in their entirety. Section headings are included for convenience only and do not limit the application of any provision.

In addition to these Regulations, the Local Authorities' Cemeteries Order 1977 applies. In particular, Article 3(1) provides 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.

The Burial Authority expects all persons using or working within the Cemeteries to conduct themselves in a respectful manner befitting the nature of the Cemeteries as places of remembrance and reflection.

All Funeral Directors, Monumental Stonemasons and contractors (including subcontractors acting on their behalf) must obtain prior written approval from the Burial Authority before carrying out any work within the Council's Cemeteries. This requirement applies whether or not a fee is payable. No works shall commence until such approval has been granted.

GENERAL CONDUCT OF 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.

2. Where vehicular access is permitted, all vehicles within the cemeteries shall be driven at a maximum speed of 5 mph.

3. Public vehicle access to Queens Road Cemetery is prohibited. Limited vehicle access may be permitted at the discretion of the Town Clerk for funerals, approved memorial works, cemetery maintenance, or other essential purposes. Any vehicle permitted to enter the cemetery must do so with due care and consideration for visitors, graves, memorials and cemetery infrastructure.

4. Children under the age of 11 should be accompanied by a responsible adult.

5. Visitors should always remove their dead flowers and other litter or place in the litter bins provided.

6. Dogs on leads are permitted onto the cemetery grounds.

7. No person shall offer goods for sale or solicit orders for the sale of any goods within the cemeteries.

8. 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

9. 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, vault, tombstone, memorial, building, flowers or plants placed in or upon any grave or memorial;
(e) Play any games or sport in the cemeteries.

10. 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

11. Any person who commits an offence under these Regulations 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 for that offence, in accordance with Articles 18 and 19 of the Local Authorities' Cemeteries Order 1977.

CONDITIONS REGULATING INTERMENTS

12. Interments 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.

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

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

15. In some cases, for cultural, religious or public health reasons, there may be a request for an interment to take place at short notice. In such circumstances the Burial Authority will make reasonable efforts to arrange the interment within the requested 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.

16. The fully completed Notice of Interment, together with the relevant supporting documentation, including (where applicable) the Certificate for Burial, Order for Burial, Cremation Certificate or other statutory documentation, must be received by the Burial Authority office no later than five full working days prior to the date of the interment. Failure to provide these documents within the required timeframe may result in delays or cancellation of the interment.

17. The location of each new interment plot will be allocated by the Burial Authority. The final decision on the allocation and use of any new interment plot rests with the Burial Authority. Location plans and plot numbers for the identification of new or existing interment plots (including those for re-opening) will be supplied only upon receipt of all fully completed and verified documentation, as referenced in paragraph 16.

18. Where it is intended that a grave will accommodate more than one coffin interment, this must be declared to the Burial Authority before the first interment. The grave shall be excavated to the appropriate depth at the first interment to accommodate the intended number of interments. Failure to notify the Burial Authority before excavation may prevent further interments within the grave.

19. Where it is intended that a cremated remains plot will accommodate two interments, this must be declared to the Burial Authority before the first interment. The first interment shall be undertaken at an appropriate depth to accommodate a second interment. No more than two interments of cremated remains shall be permitted within any cremated remains plot.

20. 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 individual or third party shall have the right to object to or prevent an interment allocation made by the Burial Authority, provided that the interment complies with these Regulations and all legal requirements.

21. 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.

22. 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 person who arranged or undertook the removal and at whose expense the memorial will be reinstated to the satisfaction of the Exclusive Right of Burial (ERB) owner.

23. 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.

24. 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.

25. 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. Responsibility for ensuring the safe excavation, temporary protection and reinstatement 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.

Following completion of the interment and backfilling of the grave, all surplus excavated soil (spoil) shall be removed by the Funeral Director and/or their nominated gravedigger and deposited only in

the location designated by the Burial Authority. Surplus spoil must not be left elsewhere within the cemetery. Responsibility for the removal and correct disposal of surplus spoil rests solely with the Funeral Director and/or their nominated gravedigger.

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

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

28. After human remains have been committed to the ground, they shall not be removed or otherwise disturbed except by lawful authority.

CONDITIONS REGULATING FUNERAL DIRECTORS, MONUMENTAL STONEMASONS AND CONTRACTORS

29. 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.

Where a Funeral Director, Monumental Stonemason or contractor engages a subcontractor to undertake any work within the Council's cemeteries, the principal organisation shall remain fully responsible for that subcontractor. The principal organisation must ensure that all documentation required under this section is provided in respect of any subcontractor engaged and that the subcontractor complies fully with these Regulations. The Burial Authority will not accept responsibility for managing subcontractors engaged by the principal organisation, and all compliance matters will remain the responsibility of the principal organisation.

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 employees, agency staff and any subcontractors engaged by the organisation 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 as soon as reasonably practicable 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 relating to themselves and any subcontractors they engage is submitted to the Burial Authority, remains current and complies with these conditions. The engagement of a subcontractor does not remove or reduce the responsibility of the principal organisation for compliance with these Regulations.

Failure by the principal organisation or any subcontractor engaged by it to provide or maintain the required documentation, or otherwise comply with these requirements, may result in the principal organisation and/or subcontractor being refused permission to access the Council's cemeteries or undertake any works or activities within them until full compliance has been achieved.

CONDITIONS REGULATING GRAVES

30. All graves must be kept flat and level with adjoining ground. Grave mounds will be permitted to remain for a period of up to 6 months following an interment. Following this period, the Burial Authority will arrange for the grave to be levelled at an appropriate time, taking into account seasonal conditions and the need to allow the ground to settle. Once the grave has been levelled, it will be either turfed or seeded, as appropriate to the season and ground conditions. Any grave marker placed by an undertaker will also be removed at this stage.

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

32. 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 and may remain for a period of 6 months, after which they must be removed – these must still conform with the rules and regulations as detailed herein.

33. Permanent 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.

34. 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.

35. 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.

36. 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).

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

38. 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.

39. 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).

40. 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

The Burial Authority does not permit the reservation or pre-purchase of grave spaces. Exclusive Rights of Burial (ERBs) are granted only at the time an application for an interment is approved. An Exclusive Right of Burial (ERB) must be purchased for all new interments.

41. 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 may authorise who is interred in the grave, subject to the requirements of these Regulations, applicable legislation and there being sufficient remaining capacity within the grave. 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.
Where, following investigation of the cemetery records, the Burial Authority is satisfied that a common grave contains only a single interment or interments relating to the same family, the Exclusive Right of Burial (ERB) may be purchased at any time. The ERB must be obtained prior to any re-opening of the grave or submission of an application to erect a memorial**.** See paragraph 49 for eligibility criteria**.**

42. 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.

43. 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.

44. 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.

45. 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.

46. Graves in respect of which an Exclusive Right of Burial (ERB) has been granted may only be reopened with the written consent of the owner(s) of the Exclusive Right of Burial, unless the interment is that of the ERB owner, in which case the ERB should first be transferred to the person(s) legally entitled. This requirement is subject to any statutory power or lawful authority permitting the grave to be reopened without such consent. The ERB must be legally transferred to the person(s) entitled before any application can be made to erect, amend, reinstate or replace a memorial. The Burial Authority must be contacted as soon as possible to initiate the transfer process in accordance with legal requirements.

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

48. 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.

49. 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 may 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 MEMORIALS AND MONUMENTAL STONEMASONS

These conditions apply to the erection of all new memorials, the re-erection of memorials following removal from the cemetery, and any repair, replacement or remedial works to memorials. No memorial may be removed from or re-erected within the cemetery without the prior written approval of the Burial Authority.

50. Memorials are not permitted on graves where the Exclusive Right of Burial (ERB) has not been purchased, nor anywhere within the cemetery, unless prior written permission has been granted by the Burial Authority in connection with an interment within the cemetery.

51. 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.

52. 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. The Burial Authority will not accept or process applications submitted within six months of the date of interment. Applications submitted before the expiry of the six-month period will be returned unprocessed. No memorial may be erected without the prior written approval of the Burial Authority.

53. 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 CONDITIONS REGULATING CREMATION PLOTS 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.

54. 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 reasonable control of the Burial Authority. Owners of memorials are advised to take out appropriate insurance cover against theft or damage.

55. Following completion of the installation, responsibility for the memorial passes to the ERB owner. Thereafter, the memorial shall remain at the sole risk of the ERB owner at all times.

56. 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.

57. 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 acceptability of any proposed inscription, font, image or photograph shall be determined by the Burial Authority, whose decision shall be final.

58. 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.

59. All monumental masons carrying out work in the cemeteries shall have at least one person on site that holds a current NAMM Fixer Licence or equivalent recognised accreditation accepted by the Burial Authority.

60. All memorials must be designed and erected in accordance with the current edition of BS8415.

61. In order to ensure that all new memorials achieve the performance standard requirements of BS8415, monumental masons must 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.

62. 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.

63. 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.

64. 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. It is the responsibility of monumental masons to remain familiar with the current BRAMM guidelines.

65. The Burial Authority may refuse to approve memorial applications submitted by a monumental mason who has 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.

66. 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.

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

68. 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.

69. 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 such action as it considers reasonably necessary to make the memorial safe. Action may need to be taken immediately following an inspection. Please refer to the Memorial Inspection Policy for further details.

70. 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 45 of these rules and regulations.

CONDITIONS REGULATING THE CHILDREN'S SECTIONS

The Children's Sections are designated for the interment of persons under the age of 18 years. Grave spaces within the sections will be allocated by the Burial Authority according to operational requirements.
The Burial Authority recognises that families may wish to personalise the graves of children and will seek to accommodate reasonable requests wherever possible, provided they are compatible with these Regulations, health and safety requirements and the respectful management of the cemetery.

71. 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 safekeeping of such items which are always left entirely at the owner's own risk. For this reason, the Burial Authority advises against placing any items of significant financial or sentimental value on the grave. The Burial Authority may remove any glass vase, jar or other fragile materials where, in the opinion of the Burial Authority, it presents a health and safety risk, particularly if damaged.

72. Permanent fences, enclosures or edging of any kind are not permitted. However, in order to protect floral tributes from wildlife, a small coated chicken wire protective fence may be erected, provided it fits snugly around the plinth, memorial or permitted unbreakable vase and does not interfere with maintenance.

73. All plots in the designated children's section will be allocated consecutively by the Burial Authority.

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

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

76. Items found outside the personal grave space may, where reasonably practicable, be moved by the Burial Authority back into the personal grave space. Where the number or nature of the items means this is not reasonably practicable, the Burial Authority will make reasonable efforts to contact the Exclusive Right of Burial (ERB) owner and request that the items are removed within a reasonable period. If the items are not removed, or where it is not reasonably practicable to contact the ERB owner, the Burial Authority may remove them. If undamaged, removed items will be placed at a designated collection point within the cemetery, where they will be retained for up to three months before being permanently disposed of.

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

79. The Burial Authority may remove any item that does not comply with these Regulations, has become unsafe or unsightly, or which, in the opinion of the Burial Authority, is inappropriate to the character, dignity or proper maintenance of the cemetery**.**

CONDITIONS REGULATING CREMATION PLOTS

80. All memorials on cremation plots must be no larger than 1ft6" by 1ft6". A flat stone may be a maximum of 4" in thickness and must be laid flush with the surrounding ground level (not proud of the ground) and without an inset flower vase.
An ashes tablet may be a maximum of 1ft in height.

81. Any flower container must be incorporated into the approved memorial tablet (not flat stones). No separate flower containers or receptacles will be permitted. The Burial Authority may remove any other objects which are not authorised.

82. No permanent fences, edging or borders 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 memorial and does not interfere with maintenance.

83. No trees, shrubs, plants or unauthorised memorial items will be permitted on the cremation plots and the Burial Authority will remove unauthorised vegetation.

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

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

CONDITIONS REGULATING THE MEMORIAL BENCH DONATION SCHEME

86. Memorial benches are provided through the Fakenham Town Council Memorial Bench Donation Scheme and are subject to these Rules and Regulations.

87. No memorial bench shall be installed within either cemetery without the prior written approval of the Burial Authority.

88. Memorial benches are intended to commemorate a person or persons with a meaningful connection to the cemetery. The Burial Authority reserves the right to determine whether the connection is sufficient to justify the provision of a memorial bench.

89. Applications for memorial benches must be made using the Council's prescribed application form and be accompanied by the appropriate non-refundable Application Fee.

90. Applicants shall select from the Burial Authority's approved range of memorial benches current at the time the order is placed. The Burial Authority reserves the right to amend, substitute or withdraw approved bench designs at any time.

91. The applicant's payment for the memorial bench shall be a contribution towards the purchase, delivery and installation of a memorial bench which shall be donated to Fakenham Town Council.

92. Upon satisfactory installation and formal acceptance by the Burial Authority, the memorial bench shall become the property of Fakenham Town Council and shall be recorded as a Council asset.

93. A Memorial Bench Licence shall be issued following satisfactory installation and acceptance of the memorial bench. The licence shall be issued for a period of fifteen (15) years, commencing on the date of installation of the memorial bench, and shall be subject to these Rules and Regulations. A Memorial Bench Licence is personal to the Licence Holder and is not transferable.

94. Memorial benches shall only be installed in locations identified on the Council's approved Memorial Bench Location Plan. Applicants may indicate a preferred approved location as part of their application; however, the final location shall be determined by the Burial Authority having regard to availability, the character and appearance of the cemetery, operational requirements and the long-term management of the site.

95. Commemorative plaques shall only be supplied and installed as part of an approved memorial bench. Applicants shall select from the Burial Authority's current approved range of commemorative plaques. The material and size of the plaque shall be selected by the applicant from the approved options. The font, positioning and method of fixing shall be determined by the Burial Authority to ensure consistency throughout the Memorial Bench Donation Scheme.

96. Applicants are responsible for ensuring that the wording submitted for the commemorative plaque is accurate. Prior to manufacture, the applicant shall be provided with a plaque proof for approval. Once the plaque proof has been approved, the approved wording shall be used for the production of the commemorative plaque and the Burial Authority accepts no responsibility for errors contained within the approved wording.

97. All memorial benches and memorial plaques shall be purchased and installed through arrangements approved by the Burial Authority.

98. Following installation, the Burial Authority shall inspect the memorial bench before it is accepted into the Memorial Bench Donation Scheme. No Memorial Bench Licence shall be issued until the installation has been inspected and accepted.

99. The Burial Authority will undertake routine maintenance necessary to keep memorial benches clean, tidy and serviceable as part of normal cemetery maintenance.

100. Where, in the opinion of the Burial Authority, significant repair or replacement of a memorial bench becomes necessary during the Memorial Bench Licence period, the Licence Holder may, at the absolute discretion of the Burial Authority, be offered the opportunity to contribute towards the cost of those works. Any such works shall be arranged by or on behalf of the Burial Authority. Where the Licence Holder declines the invitation to contribute, cannot be contacted, or does not respond within the period specified by the Burial Authority, the Burial Authority reserves the right to remove the memorial bench in accordance with these Regulations.

101. Where a memorial bench is permanently removed for any reason, the Burial Authority may offer the commemorative plaque to the Licence Holder, provided that it is reasonably practicable to recover the plaque without undue damage and current contact details for the Licence Holder are held. The Burial Authority gives no undertaking as to the condition or recoverability of any commemorative plaque.

102. Upon expiry of the Memorial Bench Licence, the Burial Authority may, at its absolute discretion:
a) renew the licence;
b) offer a further licence subject to the Rules and Regulations in force at that time;
c) remove the memorial bench; or
d) make such other arrangements as it considers appropriate.

Nothing in this Rule shall oblige the Burial Authority to renew or extend any Memorial Bench Licence.

103. No flowers, wreaths, vases, pots, ornaments, photographs, solar lights, memorabilia or any other unauthorised items shall be placed on or around a memorial bench.

104. Any unauthorised items placed on or around a memorial bench may be removed by the Burial Authority without notice in accordance with the provisions of these Rules and Regulations relating to unauthorised memorials and other unauthorised items within the cemetery.

105. The Burial Authority accepts no responsibility or liability whatsoever for the loss of, damage to, theft of or vandalism affecting any memorial bench, commemorative plaque or any other item placed within the cemetery.

106. The Burial Authority reserves the right to temporarily or permanently remove or relocate a memorial bench where reasonably necessary to facilitate cemetery maintenance, health and safety works, burials, landscaping, changes to the cemetery layout or any other operational or management requirement. Where reasonably practicable, the Licence Holder will be informed of any permanent relocation.

107. The Burial Authority reserves the right to refuse any application for a memorial bench or to impose such conditions as it considers appropriate, having regard to the proper management, appearance, maintenance, safety and future development of the cemetery.

108. The decision of the Burial Authority in respect of all matters relating to memorial benches shall be final.

FAKENHAM TOWN COUNCIL
QUEEN'S ROAD AND CREAKE ROAD CEMETERIES
1 September 2026 – 31 August 2027

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	£275.00
	(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"	£400.00
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.	£175.00

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 EARTHERN 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)	£100.00
	(iii) Exclusive right of burial (50 years) for a plot not exceeding 7ft by 3ft	£350.00
	(iv) Exclusive right of burial (50 years) for a plot in the Bariatric Section not exceeding 7ft by 4ft6"	£500.00
2	Exclusive right of burial (50 years) for a cremated remains plot not exceeding 2ft by 2ft, located in a designated Ashes Section only.	£175.00

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 Initial fee includes first 2 hours of consultation, legal documentation preparation, and issuing of Deed. Thereafter an hourly rate will apply.	£50.00 £22.00ph

4 Optional 5-year renewal of Exclusive Right of Burial up to a maximum of 99 years £50.00

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, laid flush with the surrounding ground level (not proud of the ground) and without an inset flower vase:
- (a) not exceeding 1ft6" by 1ft6" and 4" in thickness £100.00
- (b) not exceeding 1ft6" by 1ft6" and 4" in thickness, on the grave of a child whose age at the time of death did not exceed 18 years £50.00

(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 £75.00

(iii) A headstone
- (a) not exceeding 4 feet in height £350.00
- (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 £100.00

(iv) A memorial vase
Must be unbreakable, made of natural stone or similar durable material consistent with headstone construction £100.00

2 *For the right to erect or place on a Common Grave:
i) a wooden cross not exceeding 1ft6" in height £80.00

*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) £80.00

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
Administrative Fee

Unless otherwise stated, 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
Where, following investigation of the cemetery records, the Burial Authority is satisfied that a common grave contains only a single interment or interments relating to the same family, the Exclusive Right of Burial (ERB) may be purchased at any time. The ERB **must** be obtained **prior to any re-opening of the grave or submission of an application to erect a memorial.**

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, historically 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 Historically Reserved Graves (Reservations No Longer Permitted)
Interment into a historically 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 is submitted.

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