



Bentham Cemetery Rules and Regulations **Operated by Bentham Town Council**

Last revised and approved: March 2025

Bentham Cemetery is managed in accordance with the following rules and regulations. Users of the cemetery are expected to observe these regulations, which are enforced to ensure proper maintenance, safety, and respect for all interments.

For any enquiries regarding these rules, please contact the Town Clerk at:

Phone: 015242 62587

Email: townclerk@benthamtowncouncil.co.uk

Definitions

- "The Council" refers to Bentham Town Council.
- "Cemetery" refers to the burial ground located on Butts Lane.
- "Superintendent" refers to the Town Clerk.

Fees & Charges

The fees and charges for interments, grave spaces, monuments, headstones, memorials, inscriptions, and other cemetery-related matters are set and reviewed periodically by Bentham Town Council. A current schedule of fees is available upon request from the Town Clerk or from www.benthamtowncouncil.gov.uk

General Cemetery Rules

Offences

In accordance with the **Local Authorities Cemeteries Order 1977** and the **Cemetery Management Regulations 1970**, no person shall:

- Wilfully create any disturbance within the cemetery.
- Commit any nuisance or damage.
- Interfere with any burial, grave, memorial, flowers, or plants.
- Play any games or sports within the cemetery grounds.
- Enter or remain in the cemetery outside of designated opening hours unless authorised by the Council.

Opening Hours: The cemetery is open to visitors from **dawn until dusk**. For health and safety reasons, entry after dark is prohibited.

Interments

- A minimum of **two clear working days' notice** must be given to the Superintendent before an interment.
- Interments are permitted between **09:00 and 16:00**, Monday to Saturday. The latest permitted burial time is:
 - **15:00 in summer months.**
 - **14:30 in winter months.**
- Burials are **not** permitted on Sundays or designated public holidays (e.g., Good Friday, Christmas Day, Easter Sunday).

Grave Selection & Ownership

- The **selection of grave sites is at the discretion of the Superintendent**, though reasonable preferences will be considered.
- **Exclusive Rights of Burial** are issued by the Superintendent, burial plots are leased for 100 years.
- A cemetery plan showing the location of graves is available for inspection.
- No interment shall take place in a grave with an existing exclusive right of burial without the owner's written consent.
- All burial fees must be paid to Bentham Town Council within **seven days** of receiving an invoice. Exclusive Rights of Burials are issued once payment has been made.

Coffins

- Only **traditional wooden or eco-friendly coffins** are permitted.
- All coffins must bear a nameplate identifying the deceased.

Memorial Regulations

Temporary Memorials

- A temporary wooden memorial is permitted for **24 months** after an interment.
- Dimensions must not exceed:
 - **Height:** 91 cm (3'0")
 - **Width:** 68 cm (2'3")
 - **Thickness:** 10 cm (4")
- After 24 months, the owner must remove the temporary memorial. If not removed, the Council may dispose of it.

Permanent Memorials

- Memorials will be admitted into the Cemeteries during daylight hours, provided all fees have been paid. The Burial Authority reserves the right to remove a memorial if for any reason the prescribed fees have not been paid. The grave owner will be advised sensitively of their responsibilities.
- Permanent memorials must be made of best quarried materials. Limited use of etched and enamelled ornamentation will be accepted subject to the approval of the Superintendent. Permanent memorials may not be of wood or metals. Foundation bases could be of either best quarried materials or reinforced concrete conforming to BS 7263. **Prohibited materials:** Soft stone (e.g., Bath or York stone), wood, metal.
- **Size restrictions for lawn memorials:**
 - **Height:** 91 cm (3'0")
 - **Width:** 76 cm (2'6")
 - **Thickness:** 7.6 cm – 15.2 cm (3" – 6")
- Memorials must be installed by a qualified stonemason in compliance with **National Association of Memorial Masons (NAMM) guidelines**.
- The owner is responsible for upkeep and safety of the memorial. The Council reserves the right to remove unsafe or neglected memorials after **six months' notice**.
- **Photographs, wind chimes, and unauthorised decorations** are not permitted.
- Drawings and specifications of all memorials or alterations thereto and any inscription thereon shall be submitted for approval to Superintendent.
- Responsibility for the safety and upkeep of memorials rests with the owner of the burial rights; the Burial Authority can accept no responsibility for damage to memorials.

Vases & Flower Containers

- Personalised vases made from **quarried material** are considered memorials and are subject to applicable fees.

- **Maximum size for vases:**
 - **Height:** 45 cm (18")
 - **Width & Thickness:** 30 cm (12")
- **Prohibited items:** Glass containers, oversized items, or any object deemed unsuitable by the Council.

Planting & Grave Maintenance

- Graves are maintained as **turf-style**, with no kerbing or mounding allowed.
- All Grants of Right for the placing of all Memorials of any type or description are so issued at the owner's risk and responsibility and no claims for any damage or vandalism of any kind will be accepted by the council.
- The **upkeep and maintenance** of any such memorial are the owner's responsibility and should any memorial become unsafe or neglected they may be removed without notice.
- Memorials or other objects moved on the occasion of the re-opening of a grave will be moved and replaced at the risk of the owner.
- The council will carry out **regular checks** on all memorials in the cemetery and will make safe any memorial found to be in a dangerous condition.
- The Burial Authority is obliged under the Health & safety at Work Act 1984 and the Public Liability Act 1951 to **ensure memorial safety** within the cemetery and take appropriate action. It also has a duty of care under the Health & Safety at Work Act 1984 to protect the health and safety of all visitors, staff, funeral directors, monumental masons, clergy and contractors using the cemetery.
- If any **memorial is laid down or** otherwise made safe (e.g. by staking and tying) it is the responsibility of the grave owner to arrange for the appropriate work to be carried out by an approved monumental mason.
- A **2'6" area** at the head of the grave may be used for permitted memorialisation.
- Seasonal bedding plants may be allowed **with prior approval** from the Superintendent.
- **Shrubs, trees, or fast-growing plants** are prohibited. The Council may remove unauthorised plantings.
- All dead flowers and wreaths, garden refuse or litter must be conveyed to the nearest wastebasket.

Cremated Remains & Memorial Plaques

- Cremated remains may be:
 - Interred in a **family grave**.
 - Placed in a **dedicated plot near the Remembrance Wall**.
- In all cases ashes should be either poured into the ground from a container or interred in a suitable casket (supplied by the funeral director).
- Scattering of ashes is **not permitted**.
- Memorial plaques (7" x 4" cast bronze) may be placed on the stone wall within the cemetery.

General Regulations

- **Photography & Filming:** Prior permission is required from the Superintendent.
- **Vehicles:** No motor vehicles are allowed within the cemetery.
- **Children under 12:** Must be accompanied by an adult.
- **Dogs:** Only registered assistance dogs are allowed.
- **No smoking:** Smoking is not permitted in the cemetery or during funeral services.

- **No commercial activity:** Canvassing, soliciting, or advertising within the cemetery is prohibited.
- **Music:** Use of musical instruments or sound systems requires prior approval.

The Council reserves the right to amend these regulations as necessary. Compliance with these rules ensures that the cemetery remains a respectful and dignified place for all.

Permission for Maintenance, Interments, and Erection of Memorials

- No maintenance work, interment, or erection of any memorial shall be undertaken within the cemetery without the prior written consent of the Superintendent.
- Applications for permission must be submitted in writing to the Superintendent, specifying the nature and extent of the proposed works, the parties responsible for carrying them out, and any relevant supporting documentation, including but not limited to plans, dimensions, materials, and inscriptions where applicable.
- The Superintendent reserves the right to refuse any application that does not comply with cemetery regulations, health and safety requirements, or any other statutory provisions in force.
- Any maintenance, interment, or erection of memorials carried out without the Superintendent's permission may result in the removal, suspension, or remedial action at the expense of the responsible party, and such action shall not be undertaken without due notice where practicable.
- The Superintendent's decision on any matter regarding the maintenance, interments, or erection of memorials shall be final and binding, subject to any statutory right of appeal.

Bentham Town Council

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