



**SCARBOROUGH BOROUGH
COUNCIL**

**CEMETERY
&
CREMATORIUM
REGULATIONS**

**SCARBOROUGH BOROUGH COUNCIL
BEREAVEMENT SERVICES**

RULES AND REGULATIONS

INTRODUCTION

We aim to provide the highest possible standards of care, choice and dignity to those who suffer bereavement and to create and maintain an environment where the bereaved can pay their respects and remember loved ones in the ways they feel most appropriate.

We respect the rights and needs of the individual and have therefore prepared these regulations with a balance that will enable us to manage the Cemeteries and Crematorium effectively and maintain the highest possible standards without placing unnecessary restrictions on individual choices.

These rules and regulations apply to the following locations :-

Woodlands Crematorium, Scarborough
Woodlands Cemetery, Scarborough
Dean Road / Manor Road Cemetery, Scarborough
Larpool Lane Cemetery, Whitby

To assist with this we request that all visitors to our Cemeteries and Crematorium follow these regulations.

Please be aware that the Council reserve the right to change these regulations from time to time and that compliance with any changes is requested.

Administration

The Crematorium and Cemeteries Office is situated at
Woodlands Crematorium, Woodlands Drive, Scarborough, YO12 6QN.
Telephone: 01723 – 372652/354393
Fax: 01723 –
e-mail: bereavement.services@scarborough.gov.uk

The office is open from 8.30 a.m. to 5.00 p.m. Monday to Friday. The office is closed on Saturdays, Sundays and Public Holidays.

GENERAL REGULATIONS

Vehicles

For safety purposes the speed limit within the grounds of our Cemeteries and Crematorium is 10 mph.

To maintain the appearance of our Cemeteries we request that you park in the designated car parks and do not drive on grassed areas.

Children

For safety purposes children under 12 years of age are only allowed in the grounds of the Cemeteries and Crematorium when accompanied by and under the care of a responsible adult.

Dogs

A local bye-law prohibits all dogs, except guide and hearing dogs, from the grounds of the Cemeteries and Crematorium.

Gratuities

Please be aware that Council staff are not allowed to receive gratuities, tips or any other gifts.

Scale of fees and charges

Inspection of the list of scale of fees and charges can be made at the Crematorium Office.

Plans of the cemeteries and crematorium grounds are also available for inspection free of charge.

CREMATION

Code of Practice

All cremations at our Crematorium are carried out with strict adherence to the Code of Cremation Practice issued by the Federation of British Cremation Authorities of which Scarborough Borough Council is a member. Copies of the Code are available from the Crematorium Office.

Cremation Service Times

The days upon which cremation services at our Crematorium take place are Mondays to Fridays.

Services are held at 40 minute intervals with the earliest being 9.20 a.m. and the latest 2.40 p.m. **The 3.20pm time slot is released at very busy times.**

Please note that the time booked for a service is the time the cortege is due at the Crematorium chapel. In order to avoid disruption to any other funerals we request that you keep to this time. A charge, as detailed in the list of scale of fees and charges, may be levied for corteges arriving late.

Cremation Papers

To ensure that we have sufficient time to make the necessary arrangements for a cremation we request that correctly completed paperwork is delivered to the Crematorium Office by 10.00 a.m. on the **working** day before the day of cremation.

Please be aware that a charge, as detailed in the list of scale of fees and charges, may be made if the paperwork is delivered after the specified time.

Before a cremation can take place all documents relating to that cremation are checked by a doctor appointed by the Home Office. This doctor is called a Medical Referee and gives the final permission for a cremation to take place. The Medical Referee can refuse to allow a cremation to be carried out without stating the reason.

The length of the service

Services are held at 40 minute intervals. Please be aware that this includes the time taken for entry and dispersal from the Crematorium. It is possible for an additional service time to be purchased if required for a service up to and including the one at 2.00 p.m. and this must be specified at the time of the original booking and is subject to availability.

Music

All music played at Woodlands Crematorium must be supplied from our Wesley Music System. A list of music held on the library at Woodlands Crematorium can be viewed by logging on to: www.wesleymusic.co.uk and clicking on to "Music Library Lists" and scrolling down to Woodlands Crematorium, Scarborough. Any special requests i.e. family own recordings etc. must be agreed and arranged through the Crematorium office. The Wesley music system also provides the facility to record the service. This must be pre-booked prior to the funeral service.

Please note that to ensure the bereaved family get the music they want any instructions regarding music will only be taken from the Funeral Director.

Music facilities at the Crematorium include an electronic organ. We do not have a resident organist and the Funeral Director will normally **arrange** one, however, a list of organists is available from the Crematorium Office if required.

The coffin

Please be aware that the coffin cannot be opened for any reason once it is in the Crematorium grounds.

In order to reduce pollution and prevent damage to the cremators it is important that each deceased, whether an adult or a child, be brought to the Crematorium in a wooden or **suitable** compliant cardboard coffin bearing the proper ID, i.e. full name and age of the deceased. Please be aware that metal fittings cannot be allowed.

If a deceased person is repatriated from abroad, the cremation must take place in a coffin exactly the same as the ones normally used for cremation and the "Declaration of content and manufacture of coffin" on the **Service Application Form** must be signed.

In order that the cremators may be operated in a safe manner there is a limit to the size of coffin which can be cremated. Details of maximum size are available from the Crematorium Office.

Environmental Protection Act 1990

The Crematorium has to operate in accordance with the requirements of this legislation. This means that we cannot allow any substance to be cremated that may cause pollution. We therefore request that all bodies in coffins are covered in natural material only.

Bearers

The Funeral Director is responsible for arranging bearers to transport the coffin from the hearse to the catafalque (the platform where the coffin is placed during the service). We understand that family members and mourners often wish to assist with this and we respect that decision. We do ask you to be aware, however, that any mourners who do assist with the bearing of a coffin do so at their own risk.

Bearers have a designated room and may use this for waiting and changing. Bearers are requested not to use the main waiting room.

Leaving the chapel after a service

A number of services are held in our Crematorium chapel on any given day. Each service is unique and is conducted in accordance with the bereaved families' wishes. To allow us to make the necessary preparations for each service we request that everyone attending a funeral service at the Crematorium leaves the chapel immediately following the ceremony. In order to respect the privacy of mourners at each service we also request that the Crematorium access and exit areas, including the access road, are vacated as soon as possible.

Floral Tributes

Floral tributes may be placed in the Crematorium grounds but please understand that any which become unsightly or which spoil the appearance of the area will be removed. It is requested that you do not place floral tributes in glass or porcelain

containers, carry out any planting in the strewing areas or do anything which may interfere with someone else's memorial. Please be aware that Christmas wreaths will be removed in late January.

Cremation

Each coffin will be cremated separately and will be placed into the cremator exactly as it is received at the Crematorium.

If you wish to we can make arrangements for you to view the coffin being placed in the cremator but this request will need to be stated on the cremation paperwork.

Woodlands Crematorium, Scarborough abides by the Code of Cremation Practice of The Federation of Burial and Cremation authorities. Cremation is normally completed on the day of the funeral, except when circumstances require the cremation to be delayed. No cremation will be delayed more than 24 hours.

Disposal of cremated remains

You have the option of strewing, interring or removing the cremated remains.

Strewing of cremated remains

We have designated areas in the Crematorium grounds and at Larpool Lane Cemetery in Whitby and these are the only areas where cremated remains may be strewn, other than on a purchased grave with the consent of its owner.

You have the option to be in attendance when the strewing takes place and this should be indicated in the appropriate place on the cremation paperwork. Please be aware that you will need the permission of the Council to strew cremated remains and that the strewing can only be carried out by, or under the supervision of, our staff.

The area where cremated remains are strewn is carefully managed in order to maintain a neat and tidy appearance in the Crematorium grounds. The Council reserves the right to remove anything which contravenes the regulations or anything which becomes neglected, unsightly, overgrown or encroaches beyond the designated memorial area. The Crematorium will retain items removed from the grounds for a period of 3 months, after which they will be disposed of. The Crematorium has a structured grounds maintenance program, therefore the private planting of trees, plants or shrubs is not permitted.

The planting of anything in the strewing grounds is not permitted, nor is the use of glass or porcelain containers, or the placing of personal items on trees or bushes i.e. wind chimes, bird boxes etc. Cut flowers only, without wrapping paper and plants may be left in the designated area near the Book of Remembrance room. Any items inappropriately placed elsewhere will be relocated to this area.

Interring cremated remains

Cremated remains can be interred in any of the Council's Cemeteries but please note that no new graves are available in the Dean Road / Manor Road Cemetery in Scarborough.

Removing cremated remains

Please be aware that cremated remains can only normally be removed from the Crematorium by the Funeral Director or the person who applied for the cremation and signed the relevant documents.

If someone else is removing **the cremated remains** we need signed authorisation from the person who applied for the cremation.

CREMATION MEMORIALS

Plaque memorials

Memorials in the form of trees, rose beds, rose bushes, stone kerbs, marble vases, **benches** and wall memorials, each with an appropriate plaque, can be supplied, where available, by the Council for either a ten or twenty year period which may be renewed on expiry.

Please be aware that cremated remains are only strewn in certain areas of the Crematorium grounds. It is normally possible for a memorial (i.e. a Kerb Plaque) to be placed near the cremated remains. The area immediately behind the plaque i.e. of approximately 12 square inches is available to place floral tributes. No glass or porcelain containers, wind chimes, bird boxes etc. are allowed or the building of small fences around this 12" area.

Stone kerbs with bronze plaques for either ten or twenty years are also available in Larpool Lane Cemetery at Whitby.

Book of Remembrance

There is a Book of Remembrance at the Crematorium in which inscriptions of two, five or eight lines may be ordered.

The Council reserves the right to refuse any entry which is considered unsuitable.

The Book of Remembrance Chapel is open at the following times :-

Monday to Friday 8.30 a.m. to 5.00 p.m.

Saturday and Sunday 9.30 a.m. to 4.00 p.m.

On Christmas Day, Boxing Day, Good Friday, Bank Holidays and any other day appointed as a general holiday the Book of Remembrance Chapel will be open from 9.30 a.m. to 4.00 p.m.

INTERMENT

Plans and Registers

Plans of the cemeteries showing the sections and graves, together with the registers are available for inspection at the Crematorium Office free of charge.

Council Authorisation

All interments must be authorised by the Council prior to the funeral arrangements being publicly announced.

Interment times

The days upon which interments at our Cemeteries take place are Mondays to Fridays with the earliest being 9.30 a.m. and the latest 3.00 p.m. (During winter months – 2.00 p.m.).

Please be aware that all bookings for interment times must be done through the Crematorium Office; if a chapel time is booked, prior to interment, using the computer booking system the details of the interment required must be confirmed with the Crematorium Office before the interment is made public.

Please also be aware the time booked for an interment is the time the cortege is due at the graveside. In order to avoid disruption to any other funerals we request that you keep to this time. A charge, as detailed in the list of scale of fees and charges, may be levied for corteges arriving late.

Charge on grave

Please note that no interment will be allowed in any grave for which an unpaid charge is outstanding.

Interment papers

To ensure that we have sufficient time to make the necessary arrangements for an interment we request that a correctly completed Interment Notice is delivered to the Crematorium Office by 10.00 a.m. on the **working** day before the day of the interment.

Bearers

The Funeral Director is responsible for arranging sufficient bearers to carry and lower the coffin in a dignified manner. We understand that family members and mourners often wish to assist with this and we respect that decision. We do ask you to be aware, however, that any mourners who do assist with the bearing or lowering of a coffin do so at their own risk.

Coffins

Please be aware that no coffin can be opened for any reason once it is in our cemeteries. We accept coffins of wood, wicker or cardboard for interment in any section of our Cemeteries. **There is an exception for Muslim burials where an open coffin is an intrinsic part of the religious service prior to burial.**

Cremated remains caskets

Please be aware that cremated remains will only be interred in a wooden casket and cannot be interred in a container which is not of wood (e.g. metal, plastic, glass etc).

Exclusive Right of Burial

Please be aware that when a grave in a Scarborough Borough Council Cemetery is purchased, what the purchaser is actually buying is the Exclusive Right of Burial for a period of 100 years which may be renewed for a further period on expiry.

The purchaser is not buying the grave freehold and will not own any land. He or she has purchased the right to determine who may be buried in the grave and whose cremated remains may be strewn on or interred in the grave.

The Exclusive Right of Burial can only be purchased by a single individual and the fee charged is detailed in the scale of fees and charges.

Right to Erect a Memorial

The Exclusive Right to Erect a Memorial can only be purchased by a single individual and the fee charged is detailed in the scale of fees and charges. This fee includes for a safety inspection of the memorial every five years, however it should be noted that any remedial work required will be the responsibility of the purchaser.

The Right to Erect a Memorial is issued with the Exclusive Right of Burial but is only for a period of 30 years and gives the purchaser the right to erect a memorial (which must conform with the Council's current regulations) on the grave. After 30 years the rights can be renewed for a further period on payment of the fee detailed in the scale of fees and charges. Please understand that failure to renew will mean that the memorial may be removed.

Interment Fee

Please be aware that in addition to the fee charged for the Exclusive Right of Burial an Interment Fee for opening and closing the grave is charged. The Interment Fee is charged every time the grave is opened for an interment and the level of the fee depends on the depth to be opened.

Types of graves

Six types of graves are available in our cemeteries.

Purchased Grave

A purchased grave (sometimes referred to as a private grave) is one where the Exclusive Right of Burial has been purchased and can be excavated to a depth which will allow the eventual interment of one or two coffins. Cremated remains as well as coffins can be interred in this type of grave.

Unpurchased Grave

An unpurchased grave (sometimes referred to as a common or public grave) is one where the Exclusive Right of Burial as explained above is not sold and the rights to the grave remain with Scarborough Borough Council. This allows an interment option for people who cannot or do not want to purchase the Exclusive Right of Burial. An unpurchased grave will be used to inter several unrelated people and no memorial of any type will be allowed.

Cremated Remains Grave

This is a purchased grave which allows the interment of up to six cremated remains.

Child's Grave

There is a section in Woodlands and Whitby Cemeteries with purchased graves which are slightly shorter than normal and are for the interment of children. These graves are only excavated to a depth which will allow one interment but cremated remains may also be interred.

Stillborn Baby's Grave

Graves in the Stillborn/Foetal section of Woodlands Cemetery are unpurchased but a bronze plaque bearing details of the deceased is included in the Interment Fee and this will be fixed to the small stone provided by the Council.

Meadow Graves

A separate meadow burial area is in the process of being created at Woodlands Cemetery to provide a further option for burial in a more natural environment. The area will be seeded with special seed and maintained with twice yearly cutting of the grass thus protecting and encouraging the spread of the wildflower seeds. The traditional “neat and tidy” appearance of our cemeteries will not apply in this burial area.

In order to maintain the natural appearance of the Meadow Burial Ground, no Memorial headstones, flower tributes, plastic or wooden fencing, wind chimes, bird boxes, glass or porcelain containers, etc. will be allowed. The burial or scattering of cremated remains will not be allowed. The burial of a body which has been **embalmed** will not be allowed.

Graves in this area are ‘Purchased Graves’ and can be used for up to double interments only. The reserving of graves will not be allowed; the graves will be allocated in sequence.

We will place a stone marker level with the surface of the ground to allow the grave to be located as the area develops, but in order to protect the naturalness of the area. Wall plaque memorials, in natural material, are available on application.

Please be aware that the meadow burial area is multi-denominational and is not reserved for a specific religion or belief.

Opening graves for interment

Please be aware that a grave for which an Exclusive Right of Burial applies can only be opened with the written permission of the registered owner of the exclusive right unless the interment is to be that of the registered owner.

If the registered owner has died then the Exclusive Right of Burial must be transferred before any further interments take place or any memorial work is carried out. This transfer is achieved by completing a Transfer of Ownership Form, copies available from the Crematorium Office **and taking this form to a solicitor and there making a Statutory Declaration before him or her** and returning the completed form to the Crematorium Office.

Please note that all excavations for interments can only be carried out by persons or contractors employed by the Council. It should also be noted that from time to time the soil excavated from one grave which is being readied for an interment may be laid on an adjacent grave but we try to ensure this is for a short a time as possible.

Length of notice

To ensure that we have the necessary time to make the arrangements for an **interment the length of notice required is normally one clear working day for a cremated remains grave, two clear working days for a single or double grave.** If the ownership of the Exclusive Right of Burial requires clarification then additional time may be required.

CEMETERY MEMORIALS

Please be aware that in front of the grave memorial space you **are allowed to place flowers, small potted plants or heathers up to a distance of 18” for full graves and 12“ for cremated remains graves in front of the memorial stone or on the vacant space for the memorial stone. No planting beyond this area is allowed nor are small fences, kerbs, glass, porcelain tributes, wind chimes or bird baths or bird boxes etc. Please be aware that the grave owner is responsible for looking after this area and, so that a neat and tidy appearance can be maintained, the Council reserves the right to remove anything which becomes neglected, unsightly, overgrown or encroaches on adjacent graves.**

Please note that no memorial is allowed on any other portion of the grave.

The erection of new memorials, renovation of existing memorials and addition of inscriptions to memorials is carefully controlled by the Council to ensure that :-

- a) The work is only carried out with the written authority of the registered owner of the Exclusive Rights of Burial.
- b) All memorials comply with the Council's regulations and work is carried out in a manner that will ensure that all Health and Safety legislation is adhered to.

Applications for memorial work

The permission of the Council is required before any memorial may be erected, renovated or removed; permission is also necessary for additional inscriptions to be inscribed.

Permission for any of the above may be sought by completing the appropriate form, which is available from the Crematorium Office and local Monumental Masons.

Register of Monumental Masons

For safety purposes we only allow memorial work to be carried out by Monumental Masons who are included in the Council's Register of Monumental Masons. Application for inclusion on the Register must be made at the Crematorium Office and applicants must have public liability insurance and agree, among other things, to adhere to the Code of Working Practice as issued by the National Association of Monumental Masons and abide by all Council regulations. Contravention of the regulations may result in removal from the Register for a period.

Memorial work

Please be aware that no memorial work may be undertaken without written permission from the Council.

Please also be aware that any memorial work can only be carried out between the hours of 8.30 to 4.00 p.m. Monday to Friday (**Please note 12.30pm on Friday at Whitby Cemtery**) and advance notice of the day and time of work must be given to the staff at the Crematorium Office. It may be that a member of the Crematorium staff will be present to check the work.

Charge on grave

No memorial work will be allowed on any grave for which an unpaid charge is outstanding.

Types of memorial

In order to give the best possible choice we allow most designs of memorials in our Cemeteries although memorials with surrounding kerbs are only allowed in the older sections and one new section - please apply to the Crematorium Office for further details regarding this section, but please note that any memorial erected in our Cemeteries must be of naturally quarried stone.

Maximum dimensions

Full Graves:

Please be aware that the allowable dimensions, excluding foundations, are :-

Height – up to 1070mm (3'6") but crosses on plinths may be up to 1220mm (4'0")

Width – up to 914 mm (3'0"),

Depth – maximum 101 mm (4"), minimum 63 mm (2.5")

Cremated Remains Graves:

Please be aware that the allowable dimensions, excluding foundations, are :-

Height – up to 914mm (3'0")

Width – up to 762mm (2'6"),

Depth – maximum 101 mm (4"), minimum 63 mm (2.5")

Safety of memorials

Although as much choice as possible is allowed when selecting a memorial please be aware that any memorial erected in our Cemeteries must be done so in a manner that ensures it is safe, thus, all memorials being erected or re-erected, other than vases, must be fixed using a ground anchor or shoe system. In addition all "book type" and similar memorials must be dowelled to the base to ensure stability.

Please be aware that all memorials erected in our Cemeteries are erected at the owner's risk and it is advisable to have them insured against damage; the responsibility of maintaining a memorial in a safe condition rests with the owner of the memorial.

The Council will inspect each memorial in our Cemeteries periodically to ensure its stability and the owner will be responsible for any repairs or maintenance. If any required work is not carried out within one month of the owner being notified the Council reserves the right to remove the memorial and cancel the remaining term of the Right to Erect a Memorial agreement.

Maintenance of memorials

We ask all registered owners to be aware that memorials are erected at their own risk and it is their responsibility to keep memorials in a good, safe condition. The Council cannot accept any liability for the making good of any damaged or fallen memorials.

Please understand that the Council reserves the right to re-fix, move, line up or otherwise alter the position of any memorial as may be required.

Fees

The Council may charge such fees as it thinks proper for, or in connection with, interments in any of its cemeteries; and for the grant of the right to place a memorial in a cemetery; or inscribe an additional inscription thereon. Please be aware that the Council may amend the fees from time to time.

Non-Compliance with the Regulations

The Council in exercising its powers under these regulations will follow the following procedure where non-compliance with the regulations has occurred.

1. Before any action is taken with regard to the removal of any memorial or object that is considered to be in contravention of these regulations, the Council will notify the grave holder in writing of the Council's intentions at their last known address.
2. One **month's** notice of any intended action will be given.
3. The grave holder will have a right to appeal against any decision made. In the first instance this will be to the Head of **Environmental Services**. Any appeal should be in writing.

Appendix

Extracts from Legislation applying to Cemeteries and Crematoria

Local Authorities Cemeteries Order 1977 – Article 18

No person shall :-

- I. Wilfully create any disturbance in a cemetery
- II. Commit any nuisance in a cemetery
- III. Wilfully interfere with any burial taking place in a cemetery
- IV. Wilfully interfere with any grave, walled grave or vault, any tombstone or any other memorial, or any flowers or plants or any such matter, or
- V. Play any game or sport in a cemetery.

Every person contravening any of the above provisions is liable on **summary** conviction to a fine not exceeding Level 3 on the Standard Scale and in the case of a continuing offence to a fine not exceeding £10 for each day during which the offence continues after convictions thereof.

Criminal Damage Act 1971

Section 1(1) "A person who without lawful excuse destroys or damages any property belonging to another, intending to destroy or damage any such property or being reckless as to whether any such property would be destroyed or damaged, shall be guilty of an offence."

A person guilty of such an offence on indictment is liable to imprisonment for a term not exceeding ten years. For a similar offence tried summarily with the consent of the accused, the maximum penalty is six months imprisonment and/or a fine of up to £2000.

Cremation Act 1902

Section 8(2) "Every person who shall wilfully make any false representation, or sign or alter any certificate, with a view to procuring the burning of any human remains

shall (in addition to any penalty or liability which he may otherwise incur) be liable to imprisonment not exceeding two years.”

The Cremation Regulations 1930 (as amended 1952 & 1965)

Reg. 7(2) The Application must normally be signed by an executor or the nearest relative of the deceased, but it may be signed by some other person if the Cremation Authority is satisfied that person is a proper one to have signed, and a satisfactory reason is given on the Application why it is not signed by an executor or the nearest relative.

Reg. 12(3) The Medical Referee must not allow a cremation unless he or she is satisfied the Application is made by an executor or nearest relative to the deceased, or, if made by another person, the fact that the executor or nearest relative has not made the Application is sufficiently explained, and that the person making the Application is a fit and proper person to do so.

These Rules and Regulations are subject to change periodically. They are not exhaustive and are subject to change in the light of amendments in Burial legislation.