Cemeteries Regulations

Updated February 2025

CEMETERY REGULATIONS

INTERPRETATION

(1) The following Regulations shall apply to Leek Cemetery and Buxton Road Cemetery, and any other Cemeteries which may be established by or come under the control of Staffordshire Moorlands District Council after the adoption of these Regulations.

In these Regulations, unless the context otherwise requires, the following terms and expressions are defined as detailed in the list below;-

Term	Definition
Additional Inscription	means each Inscription on a Memorial, inscribed after the first Inscription, to one other deceased person, whether that person be interred in the Grave or not.
Authorised Officer	means the representative of the Council as appointed by the Council, or the person who shall be acting in their absence.
Cemetery or Cemeteries	means any place/s provided by the Council for the Interment of human remains and any reference to 'the Cemetery' shall refer to any or all of the Cemeteries to which these Regulations apply.
Closed Churchyard	Means a Church of England burial ground that no longer has capacity for further planned burials and where the Parochial Church Council under Section 215 of the Local Government Act 1972, has served a written request on the Parish, Town or District Council to take over the maintenance of the churchyard and where either of the former have declined to do so.
Contractor	means any person employed by the Council.
Council	means Staffordshire Moorlands District Council.
Established Church	Means the Church of England
Exclusive Right of Burial	means the exclusive right, granted by Grave Deed, of the registered owner to determine who may be interred in or commemorated on the Grave in question; such exclusive right to be for a limited period determined by the Council.
Funeral Director	a person who supervises or conducts the preparation of the dead for burials and who directs or arranges funerals.
Grave	means a burial place formed in the ground by excavation and without any internal wall of brickwork, stonework or any other lining.
Grave Deed	means the deed of grant of Exclusive Right of Burial in a Private grave or Vault.
Grave Space	means that area allowed by the Council for the establishment of a Grave.
Indemnity	Means the protection against a loss or other financial burden through the provision of a signed declaration confirming the owner of the Exclusive Right of Burial of a Grave
Interment	Means the burial of a body in a Grave or tomb, typically with funeral rites
Inscription	means a reference on a Memorial to one deceased person, whether that person be interred in the Grave or not.

Memorial	means any Memorial, including any Gravestone, headstone, vase, tablet or other object placed on a Grave Space.
Minister of Religion or Minister	Means a person authorised by a church, or other religious organisation, to perform functions such as teaching of beliefs; leading services such as weddings, baptisms or funerals.
Monumental Mason	Means a person who creates, installs and repairs of Memorial headstones, tombstones or similar items of stonemasonry
Notice of Interment	Means the notification provided to the Council via a form of a burial required at a Cemetery under its control.
NAMM	means The National Association of Memorial Masons.
Plate	means the upright, inscribed part of a lawn Memorial.
Private Grave/Vault	means a Grave or Vault where the Exclusive Right of Burial is granted.
Public Grave	means a Grave in which no Exclusive Right of Burial will be granted by the Council and in which unrelated persons may be interred; formerly referred to as a Common or Paupers Grave.
Regulations	means the Cemetery Regulations of this Council
Vault	includes underground burial places of every description except Graves to which the word Grave, as interpreted above, applies.
Working Day/s	Means a day/s other than a Saturday or Sunday or which is a Public Bank Holiday
BRAMM	means the British Register of Accredited Memorial Masons

MANAGEMENT OF THE CEMETERIES

(2) The Cemeteries will be open to the public on such days and during such hours as the Council may, from time to time, determine.

It should be noted any unauthorised entry when the Cemeteries are closed to the public contravenes the Local Authorities' Cemeteries Order 1977, Section 18(2).

(3) All persons entering a Cemetery will be subject to the orders and control of the Council and shall conduct themselves in a decent, quiet and orderly manner; and are reminded of the provisions of The Local Authorities' Cemeteries Order 1977, Section 18(1) as below:-

No person shall:-

(a) Wilfully create any disturbance in a Cemetery
(b) Commit any nuisance in a Cemetery
(c) Wilfully interfere with any burial taking place in a Cemetery
(d) Wilfully interfere with any Grave or Vault, any tombstone or other Memorial or any flowers or plants on any such matter
(e) Play at any games or sport or discharge firearms (save at a military funeral) in a Cemetery.

The Authorised Officer reserves the right to eject or have ejected from any Cemetery, any person who acts in a manner deemed by the Officer to constitute inappropriate behaviour.

Visitors to the Cemetery shall not unreasonably interrupt the Council's employees or their Contractors at their duties, or employ them to execute private work within the Cemetery or extend to them any gratuity. All enquiries, complaints and requests by members of the public must be made to Service Commissioning, Staffordshire Moorlands District Council, Moorlands House, Stockwell Street, Leek, ST13 6HQ or at www.staffsmoorlands.gov.uk and not to the workmen employed in the Cemetery.

Dogs must be kept on a lead at all times. Owners or persons for the time being in charge of a dog who allow it to foul the Cemetery shall be liable to prosecution.
(4) Children under the age of 12 shall be permitted in the Cemetery where accompanied by a responsible adult.

(5) No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit orders for the same, within the Cemetery except where prior written has been given by the Council.

(6) Any person using a motor vehicle in the Cemetery shall have regard for all signage and only do so on a carriageway suited to the purpose, except with the consent of the Authorised Officer.

(7) All visitors to the Cemetery shall keep on the footpaths or roads except whilst visiting a Grave or Vault.

(8) No person shall drop, throw or otherwise deposit and leave in the Cemetery any litter or refuse of any kind except in the receptacles provided for the purpose.

(9) The taking of photographs within the Cemetery shall be subject to the approval of the Authorised Officer, who may require production of the Deed of Grant of Exclusive Right of Burial or an indemnity in the Council's favour where it is proposed to photograph a private grave or Memorial.

(10) Smoking is prohibited near any place where an Interment is taking place and in Cemeteries buildings.

INTERMENTS

(11) Sections have been set apart in Leek Cemetery for burials according to the rites of the established Church of England and the Roman Catholic Church and the rites of other denominations.

Buxton Road Cemetery is non-denominational.

In sections of the Cemetery consecrated according to the rites of the Established Church, burials will only be permitted:-

(a) in accordance with the rites of a Christian denomination; or
(b) without any religious service, provided that any other rites are decorously performed.

(12) Interments may only take place in accordance with these Regulations and during the following hours:

Months	**First burial**	**Last coffin burial**	**Last ashes burial**
April to September	9.30am	3.00pm	3.30pm
October to March	9.30am	2.00pm	2.30pm

Interments will not normally be permitted on Saturdays, Sundays, Good Friday, Christmas Day or on any other Public Holidays. Interments will also not be permitted on the days between Boxing Day and New Years Day.

(13) The time appointed for an Interment will be that at which the funeral cortège is to arrive at the entrance gate of the Cemetery where the Interment is to take place. The Funeral Director or person in charge of the funeral arriving after the appointed time must act under the direction of the Authorised Officer as to when the funeral service may proceed. A fee may be charged to the Funeral Director for late arrival.

(14) A Notice of Interment must be completed for each Interment request and submitted by e-mail or in hard copy for every Interment requested to alliancecemeteries@cheshireeast.gov.uk. Notices of Interment shall be provided to the Council allowing a minimum of three Working Days between the date of receipt and the date of

Interment. The burial booking is only provisional until written confirmation by email or hard copy is provided by the Authorised Officer. Telephone bookings for Interments are not accepted.

All such periods of notice exclude Saturday, Sunday, Good Friday, Christmas Day and Public Holidays.

(15) The Notice of Interment shall contain; full details of the deceased; the proposed date and time of Interment; the Grave to be used, accurate external size of coffin and the signature of the owner of the Exclusive Right of Burial and a copy of the Grave Deed. If the Grave Deed is not available the Council will require a evidence of legal title such as Forms of Assignment, Grant of Probate, Grant of Letters of Administration, Form of Assent and Statutory Declarations, dependant on the circumstances of the deceased and applicant. Failure to complete the indemnity may result in the postponement or cancellation of the Interment.

The Council will not accept responsibility for the consequences arising from the loss or delay of any such notice, order or other document sent by the post, nor for the accuracy of the details contained in the Notice of Interment.

(16) The foregoing Regulations 12 and 14 may be waived in cases of emergency, certified by acceptable medical authority, in the interest of public health.

(17) The person arranging the Interment shall be responsible for the attendance of the Minister of Religion to officiate at the burial service and for the payment of any fee to which the Minister is entitled.

(18) A certificate for disposal issued by the Registrar of Births and Deaths or a Coroners' order for burial must be delivered to the Alliance Cemeteries Bereavement Services, The Cemetery Lodge, 87 Prestbury Road, Macclesfield, SK10 3BU for burials at Leek and Buxton Road Cemetery before the burial takes place. Any person procuring the Interment without the production of such certificate or order will be required to make a written declaration on the prescribed form in accordance with Section 1(1) of the Births and Deaths Regulations Act 1926.
In the case of Interment of cremated remains, a certificate for burial purposes, issued by the Cremation Authority, will be required.

In the case of foetuses, the Medical practitioner's Confirmation of Delivery of a Non-Viable Foetus.

(19) Every body brought into the Cemetery for Interment shall be contained in a suitable coffin, of perishable material, and shall be interred in that coffin.

In Woodland burial areas, only fully biodegradable coffins, shrouds or other appropriate containers may be used. Plastic and other non-perishable fittings shall be used.

(20) All Graves or Vaults will be prepared by persons employed by the Council. If so required by the Authorised Officer to facilitate the burial, the Memorial or gravestone and any base, kerbstone and foundation must be removed from the Cemetery at the applicant's expense and delivered to the premises of the Monumental Mason.

(21) No burial shall be conducted in such a manner that any part of the coffin is less than 3' 0" below the level of the ground adjoining the Grave. Provided that the Council may, where they consider the soil to be of a suitable character, permit in writing a coffin to be placed not less than 2' 0" below the level of any ground adjoining the Grave.

(22) No coffin shall be placed in a Grave unless effectively separated from any previous interment coffin by means of a layer of earth not less than 6" thick.

(23) When any Grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein.

(24) Every Vault shall be properly constructed of suitable materials.

(25) Within 24 hours of any burial in a Vault, the Council shall ensure the coffin be :-

(i) embedded in concrete and covered in a layer of concrete not less that 6" thick; or

(ii) enclosed in a separate cell or compartment of brick, slate, stone flagging or precast concrete slabs of a 1:2:4: mix, in any case not less that 2" thick, in such a manner as to prevent, as far as may be practicable, the escape of any noxious gas from the interior of the cell or compartment.

(26) After Interment, no body or cremated remains may be removed from a Grave or Vault without the production of the ecclesiastical faculty and/or licence for exhumation required by law. The original documents shall be required for this purpose.

(27) Ceremonies of a special nature are subject to the approval of the Authorised Officer.

(28) The Authorised Officer may exclude from the Cemetery, on the occasion of a funeral, any person or persons not being mourners or officially connected with such funeral.

(29) In the case of the re-opening of a Private grave or Vault, where written consent of the owner of the burial rights, the deed of grant of Exclusive Right of Burial or other reasonable evidence of ownership cannot be produced, the Council will require evidence of legal title such as Forms of Assignment, Grant of Probate, Grant of Letters of Administration, Form of Assent and Statutory Declarations, dependant on the circumstances of the deceased and applicant. The Notice of Interment form also incorporates an indemnifying statement to be signed in such instances.

EXCLUSIVE RIGHT OF BURIAL

(30) Grave Spaces are available for the purchase of Exclusive Right of Burial at all the Cemeteries and in accordance with these Regulations and the scale of fees and charges applicable to such purchase at that time. Each applicant must be issued with the appropriate explanatory leaflets by the Cemetery Superintendent and Funeral Director.

Graves will normally be allocated in strict rotation within each section. A Grave selected other than in rotation may be subject to an additional fee and will be subject to the approval of the Authorised Officer. Plans showing the Grave Spaces available are

kept at the Cemeteries Service's Office where they may be seen during normal office hours.

Families who desire a plot of ground as a family burial ground may purchase two or more continuous spaces if available. At Buxton Road Cemetery pre-purchased Graves are only permitted for Graves neighbouring an existing family Grave and the pre-purchase must take place within six months of the original burial.

The Council shall not be held responsible if, due to factors outside their control, the full number of Interments in a Grave cannot be achieved.

(31) All grants of Exclusive Right of Burial shall be made for a period of 50 years and thereafter, for any extension to this scheme, for a period not exceeding 30 years.

At the expiration of that period, the purchaser or his/her heir or successors, will have the option of renewing the Exclusive Right of Burial, subject to such restrictions and Regulations as may be in force at that time. Application should be made for renewal of the Exclusive Right of Burial within 12 months of the expiration of the previous grant.

Where the period of grant of Exclusive Right of Burial has elapsed and no notification of the intention to renew has been received from the person who held the Exclusive Right of Burial, the Council may grant a renewed right of burial to another person. Before doing so it will, where possible, notify the previous owner, or his personal representative, giving the option of renewal. For the avoidance of doubt It is the responsibility of the owner of the Exclusive Right of Burial to inform the Council of any changes in their contact details.

(32) Any transfer of ownership of Exclusive Right of Burial will be subject to the production of satisfactory evidence of title and the approval of the Council. Such transfer must be registered in the records of the Cemetery and the Grave Deed must be produced for endorsement at the Cemeteries Office and the appropriate transfer fee paid. Where no Grave Deed is produced the Council will require legal declarations of title.

MEMORIALS

(33) A Memorial may only be erected on a Grave Space within the Cemetery in accordance with these Regulations and upon payment of the appropriate permit fee. The right to erect a Memorial will be for the unexpired portion of the Grant of Exclusive Right of Burial only.

(34) Application for approval to place a new Memorial in the Cemetery, alter or add to any Inscription, or replace, add to or remove from the Cemetery any Memorial shall be submitted to the Authorised Officer on the appropriate Memorial application form which can be obtained from the Council.

Such notice must be submitted at least 2 weeks in advance of the proposed date of erection and shall include:

(i) In the case of a new Memorial, a drawing of the Memorial and detail of its specifications, including the nature and colour of the material to be used, and

showing all dimensions, including those of any foundation slab, and all dowels and fixing methods / materials.

(ii) Any text to be cut upon the Memorial or any text to be altered or added to any existing Memorial.

(iii) The name, address and telephone number of the person placing the order for the monumental work to be undertaken, who should be the owner of the Exclusive Right of Burial. If such owner is deceased the applicant shall state their relationship to the deceased owner. If the owner is alive the applicant shall state why the owner is not making the application.

(iv) The Grave number and name of the deceased.

(v) The Grave Deed number (or a copy of the deed). If the Grave Deed is lost / not available, the Council will require legal declarations of title from the purchaser.

(vi) The name, address and telephone number of the Monumental Mason.

(35) The approval of the Council for any such application is required before any work is undertaken. Any approval is issued on the understanding that the work undertaken will fully comply with the details of the Memorial application form and the requirements of these Regulations and all relevant and current legislation (including National Association of Monumental Masons Code of Working Practice -NAMM/BRAMM CoWP). Any work that does not so comply will not be permitted to remain in the Cemetery. No permit is required for cleaning only; up righting and levelling and repair of existing lettering. The Council reserves the right to refuse any Memorial work it considers to be unsuitable.

(36) No Memorials incorporating kerbs will be permitted in any of the Cemeteries. Permission may however be granted to repair an existing authorised monument incorporating kerbs at the Authorised Officer's discretion. Repair includes the replacement of chippings.

(37) Professionally fitted kerbs removed in order to facilitate the opening of a Grave for burial may be replaced by a Monumental Mason at the Authorised Officer's discretion; however it is recommended that kerbs are removed completely and the Grave lawned to ease future maintenance and reduce the trip hazard. Any other items on the Grave surface at the time of the opening of the Grave will be removed and may not be replaced, as the Grave must subsequently be lawned.

(38) All Memorials shall be installed by NAMM/BRAMM registered monumental masons and each installation shall comply with the NAMM/BRAMM Code of Working Practice and with the following, as appropriate:-

(i) A 'headstone' may consist of a single upright gravestone or a headstone with base (i.e a lawn Memorial constructed using appropriate steel dowels and mortar). Such base may incorporate one or two flower containers and include up to two vases, tablets or figures so long as they shall comply with the following Regulations.

(ii) Any vase, tablet or figure fixed to the base of a lawn Memorial shall not be more than 12" high and shall not overhang the perimeter of the base.

(iii) A vase or tablet may be placed on the Grave directly adjacent to the Memorial only if no room for an Additional Inscription exists, and may not project further than 12" onto the Grave surface and may not be wider than

the base of the existing Memorial. If space permits, any vase should ideally be placed at the side of the headstone.

(iv) Alternatively, a Memorial may consist of a natural stone vase not more than 12" x 9" x 9" fixed to a plinth not more than 12" x 12" x 2", of the same material, fixed on a concrete foundation of the same dimensions as the base.

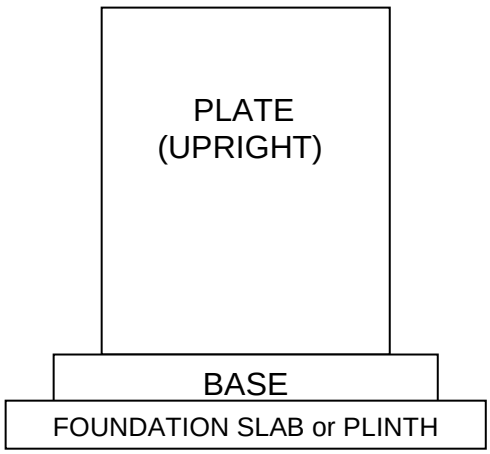
(39) Memorials must be within the following sizes. The overall height from ground level of the Memorial (including any foundation slab) must not exceed 3' 2" in height.

Leek and Buxton Road Cemeteries

Burial Plots		
Plate	**Maximum**	**Minimum**
Height	2'9" (840mm)	-
Width	2'6" (760mm)	-
Thickness	4" (100mm)	3"
Base	**Maximum**	**Minimum**
Width	3'0" (910mm)	-
Depth	1'3" (380mm)	-
Thickness	5" (130mm)	3"
Flat tablet or desk	**Maximum**	
Length	2' 0"	
Width	2' 0"	
Height (rear)	1' 0"	
Height (front)	3"	

(40) All new Memorials must be erected in accordance with the NAMM/BRAMM CoWP.

(41) Uprights shall be constructed from a single piece of stone, although they may be inlaid with natural stone, lead or bronze as part of the design or Inscription. Such inlay shall not reduce the thickness of the main body of the headstone to less that 2". The inlaid material must not be raised above the surface of the headstone proper by more than ½" and must be contained within the overall dimensions of the headstone.



(42) Any Memorial of artificial / re-constituted (except figures), Bath or soft Caen stone will not be permitted and Memorials of pottery, glass, plastic, fibreglass or any other unsuitable material are forbidden and will be removed without notice.

(43) Photographic plaques not exceeding dimensions of 6" x 4" may be affixed to Memorials.

(44) The section, Grave number and Monumental Masons name must be incised on the base of the Memorial.

(45) Only the surname of the deceased shall be permitted on the rear face of the Memorial in lettering no larger than that on the front of the Memorial. No 'nicknames' or first names will be permitted.

(46) No hewing or dressing of stone other than cutting of an Inscription will be permitted in the Cemetery.

(47) All materials and equipment shall be conveyed in the Cemetery in such a manner as to prevent damage to walks, paths, roads or turfed areas and all waste materials shall be removed from the Cemetery in a like manner. Failure to do so may result in the Council providing an initial written warning or being barred from operating in our sites in future to anybody (Funeral Director, Monumental Mason, his servants or agents etc) who has caused damage unless full repairs are made.

Where such a facility exists, soil and turf only may be deposited by the topsoil store in the Cemetery, otherwise it must be removed from the Cemetery. Mats, boards or canvas shall be used, as directed by the Council, to achieve this end.

(48) All workmen employed, on behalf of the owner of the Exclusive Right of Burial, to erect any Memorial or to perform work on an existing Vault or Memorial shall carry out their work strictly under the direction of the Authorised Officer and shall:-

(i) Annually provide evidence of their public liability insurance.
(ii) At the cost of the owner of the Exclusive Right of Burial, fill up and level the ground, remove all waste and unwanted material from the Cemetery and make good any damage or injury whatsoever occasioned in the process of the work.
(iii) Perform the work during the normal opening hours of the Cemeteries office, i.e. Monday to Friday 9.00am to 4:30pm.
(iv) Provide their own tools and equipment and complete the work with due diligence.

(49) The Authorised Officer is to be informed of the removal of any Memorial from the Cemetery at least two weeks prior to the removal.

(50) The removal and re-erection of a Memorial to facilitate the re-opening of a Private Grave or Vault or to level such Grave or Vault shall be at the discretion of the Authorised Officer and the sole expense of the owner of the Exclusive Right of Burial.

(51) Any person removing a Memorial to permit a further Interment shall remove the same from the Cemetery. The Council will accept no responsibility for damage caused to the Memorial by the removal or whilst the Memorial is not fixed on the Grave.

(52) Any Memorial removed from an earth Grave to facilitate an Interment shall not be replaced earlier than six months after the Interment. The Council will not be held

responsible for any subsidence or instability of any Memorial replaced before six months has elapsed from the date of the Interment.

(53) The Council accepts no responsibility for the condition of any Memorial, Grave, headstone or monument within the Cemetery or for making good any damage caused to monuments, Gravestones or Graves through ordinary wear and tear, severe weather conditions or other circumstances over which it has no control.

(54) Any Memorial erected in the Cemetery remains at the sole risk of, and must be kept in a good state of repair by, the owner of the Exclusive Right of Burial. The Council will undertake memorial safety testing upon all Memorials at five yearly intervals and will attempt to notify grave owners if known, of safety concerns when identified. Where safety repairs are (in the opinion of the Council) required a notice will be placed on the Memorial and, where possible, sent to the Grave owner or other responsible person. This notice shall specify the safety concern and the Grave owner or other responsible person must contact the Council and arrange to complete repair works within six months of the date of the notice.

If a Memorial is deemed unsafe and the owner of the memorial fails to undertake works to make the Memorial safe, the Memorial will be made safe, possibly by laying flat, inscription side up by the Council. The ultimate liability for Memorial safety remains with the family of the deceased, who own the Memorial, not the Council. As a result, the Council reserves the right to alter, repair or remove any Memorial not kept in a safe or satisfactory state of repair. The Council recommends that Grave owners, at least every five years, request a professional monumental stonemason to inspect their Memorial(s) for structural defects and subsidence, and repair or re-fix where necessary, and to inform the Council of any change of address.

(55) The Council reserves the right to exclude or remove from the Cemetery any Memorial item not executed in a workmanlike manner or from sound materials, or which would in its opinion disfigure the Cemetery, offend public decency or be likely to cause injury for whatever reason.

MAINTENANCE AND UPKEEP

(56) The surface of every Grave or Vault shall be lawned and at ground level, all lawned areas will be maintained by the Council. An approved Memorial permitted in accordance with these Regulations may be placed at the head of the Grave only. No other items or materials may be placed on the Grave surface and may be removed by the Council without notice. The cost of removal and disposal may be charged to those responsible or the Grave owner.

(57) Historically installed kerbed Graves may remain, if safe and for the period of the Exclusive Rights of Burial. Thereafter the Council reserves the right to convert these to lawned Graves leaving only the Memorial and spring flowering bulbs if planted in a six inch strip at the head of the Grave.

(58) The Council reserves the right to remove from any Vault or Grave flowers and wreaths which in its opinion have become unsightly, and any unauthorised Memorial items, plants, shrubs or trees which have been planted on Graves and to dispose of the same in such a manner as it may deem fit, especially, but not exclusively, when a burial

is to take place in the vicinity. The cost of removal and disposal may be charged to those responsible or the Grave owner.

(59) Admission of vehicles is subject to the following conditions:-

(i) Access is available between 8am to dusk on all days including Saturdays, Sundays, Good Friday, Christmas Day and Public Holidays:-
(ii) Access is subject to absolute right of way being given to any funeral cortège in the Cemetery.
(iii) No vehicle is to be left in a position so as to cause any obstruction to other traffic.
(iv) A speed of 5 mph is not to be exceeded. Vehicles must not be driven on paths not intended for vehicular use or where signage indicates prohibition.
(v) No liability is accepted by the Council for loss of or damage to a vehicle or its contents, or injury to its driver or passengers howsoever arising.
(vi) All reasonable requirements of the Authorised Officer shall be complied with.
(vii) Permission for admission of vehicles may be withdrawn at any time.

FEES AND CHARGES

(60) The fees and charges prescribed for the use of the Cemetery shall be those specified from time to time in the scale of fees and charges, as amended by the Council.

(61) Fees and charges are payable in advance to the Council, except in the case of Funeral Directors and Monumental Masons dealing continuously with the Council who will be invoiced regularly. All invoiced accounts shall be settled 28 days from the date of the invoice, regardless of whether payment has been received from the invoicee's customer.

GENERAL

(62) All persons (not being employees of the Council) engaged at work in the Cemeteries shall comply with all reasonable directions and requirements of Staffordshire Moorlands District Council and the Authorised Officer.

(63) A register of all burials and Graves is kept at the Staffordshire Moorlands District Council offices where searches can be made and certified extracts obtained, upon payment of the prescribed fee.

(64) The Council is empowered to alter or amend the foregoing Regulations at any time and to introduce further Regulations as they consider necessary in the case of newly established sections of the Cemetery.

(65) Any of the foregoing Regulations may be waived by the Council in exceptional circumstances.

CLOSED CHURCHYARDS

(66) The Council is responsible for the maintenance of a Closed Churchyard by keeping it in 'decent order'. The Council has no responsibility to improve the Closed

Churchyard or to maintain it to a higher standard than 'decent order'. The Church may chose to provide additional maintenance if deemed appropriate, this will be undertaken at its own cost.

(67) The Council in keeping the Closed Churchyard in decent order will:

- arrange to cut the grass in accordance with the amenity standard in operation across the borough,
- keep any areas of vegetation i.e. hedges tidy to a reasonable standard,
- maintain boundary walls, fences, gates and footpaths to ensure they remain safe for users and visitors to the site,
- identify any risks associated with trees within the Closed Churchyard and carry out safety work where necessary,
- undertake memorial safety testing upon all Memorials at five yearly intervals and will attempt to notify grave owners if known, of safety concerns when identified. If a Memorial is deemed unsafe and the owner of the memorial fails to undertake works to make the Memorial safe, the Memorial will be made safe, possibly by laying flat, inscription side up by the Council. NB: The ultimate liability for Memorial safety remains with the family of the deceased, who own the Memorial, not the Council. As a result, the liabilities for repairs to a Memorial are not the responsibility of the Council.

(68) The Council is not responsible for the maintenance and upkeep of any building in the churchyard or any items relating to the church itself (such as drainage pipework, cables etc.).

(69) The Closed Churchyard remains the property of the Church, not the Council.