

## **RULES AND REGULATIONS – MERTHYR DYFAN CEMETERY, BARRY**

1. Applications for burial will only be permitted if the Notice of Interment form is signed by:-

- 1) The Purchaser of a new grave or the holder of the Exclusive Right of Burial of an existing purchased grave;
- 2) Such a person holding the assignment of the Exclusive Right of Burial;
- 3) The next of kin, on the death of the Exclusive Right of Burial holder;
- 4) The person responsible for the burial arrangements, if no next of kin exists.

In all cases the Burial Authority (Barry Town Council) must **receive three clear working days notice in advance of the intended burial.**

The completed Notice of Interment form providing all details requested must be received at the Town Council's offices no later than three clear working days in advance of the intended burial date.

Failure to comply with the above rules and regulations may result in the burial being rearranged on a later date.

2. **All graves are designated lawn. No kerbs, border stones, fencing, shrubs, rose bushes or any other obstructions are allowed on the surface of the grave, except for a small area 22" x 36" across immediately in front of the main memorial which may be used for bedding plants or flower containers (glass and ceramic containers are not permitted).**

**The entire surface of designated cremated remains plots must be kept clear.**

3. Temporary wooden crosses are permitted subject to the approval of the Clerk to the Burial Authority (a specimen is available for inspection at the Cemetery). Once a permanent memorial is erected on the grave, temporary crosses are to be removed from the Cemetery grounds.
4. All coffins, caskets and other burial containers must be of a biodegradable materials.
5. Main memorials shall be constructed of marble, granite, Portland stone or similar materials and shall be supplied and erected by members of NAMM / BRAMM who will be responsible for completing the necessary application forms, drawings and payment of fees as required by the Town Council. (The Council recommend that a memorial insurance is sought)
6. Owners of grave deeds or persons exercising title of such deeds shall be responsible for the continuous maintenance of any memorial erected on the grave space and shall if it becomes dangerous or dilapidated cause it to be restored to pristine condition or arrange for its removal from the Cemetery grounds upon receipt of an official notification from the Town Council.
7. Responsibility for the removal of memorials to facilitate further interments lies solely with the owner of the grave deeds or person exercising title of such deeds and they are responsible for arranging its reinstatement on the grave space within 9 months of the date of such interments, or arranging with the Town Council for its removal from the Cemetery grounds.
8. **In all cases a minimum period of 9 months will elapse after an interment before the surface of the grave space is finally levelled, turfed or seeded.**
9. If the person named in Part 1 of this form is not the original deed holder, or the person completing this notice is not the deed holder – please contact Barry Town Council as a transfer of the Exclusive Right of Burial may need to take place prior to the authorisation of burial.

### **THE FOLLOWING OFFENCES OF DISTURBANCE, NUISANCE AND WILFUL INTERFERENCE ARE STRICTLY PROHIBITED**

Article 18(1) of the Local Authorities' Cemeteries Order 1977 provides that 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, any flowers or plants on any such matter or;
- (e) Play at any game or sport in a cemetery.

In addition no person shall:

- (a) Discharge any firearm (except when authorised by the Council at Military Funerals);
- (b) Bring any animal into the cemetery, whether on a leash or not – excepting guide dogs;
- (c) Film in the cemetery without the prior consent of the Council.

By Article 18(2), **no person who is not an officer or servant of the burial authority or another person so authorised by or on behalf of the burial authority shall enter or remain in the cemetery at any hour when it is closed to the public.**

Every person contravening any of the above provisions shall be liable (under Article 19 of the Local Authorities Cemeteries Order 1977) on summary conviction to a fine not exceeding £1000, and in the case of a continuing offence to a fine not exceeding £10 for each day during which the offence continues after conviction therefor.

#### **Destroying or damaging property in contravention of the Criminal Damage Act 1971**

Section 1(1) of the Criminal Damage Act 1971 states that: "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". This would include a statue, monument or other memorial of the dead, or any railing or fence surrounding such statue or monument, in a church, chapel, churchyard, burial ground or cemetery.

Section 4(2) of the Criminal Damage Act 1971 makes a person guilty of such an offence on conviction liable to imprisonment for a term not exceeding ten years, for which a person could be liable to the maximum penalty of six months' imprisonment and/or a fine of up to £2,000.

#### **EXERCISE OF BURIAL AND OTHER RIGHTS**

**Under Schedule 2 of the Local Authorities' Cemeteries Order 1977, no burial shall take place, no cremated human remains shall be scattered and no tombstone or other memorial shall be placed in a cemetery, and no additional inscription shall be made on a tombstone or other memorial, without the permission of the officer appointed for that purpose by the burial authority.**

**Every person contravening the above provision shall be liable (under Article 19 of the Local Authorities Cemeteries Order 1977), on summary conviction to a fine not exceeding £1000); and in the case of a continuing offence, to a fine not exceeding £10 for each day during which the offence continues after conviction therefor.**