



REGULATIONS

In respect of

SOLIHULL
BEREAVEMENT
SERVICES

July 2007

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SECTION 1.

DEFINITIONS

“The Council” means.	Solihull Metropolitan Borough Council.
“The Manager” means.	The person appointed by the Council to be responsible for the management of the Cemeteries and Crematoria or their nominated representative, including any person empowered to act on behalf of the Council.
“Cemetery” means.	Any Cemetery, including the Grounds and Building belonging to or operated by the Council.
“Crematorium” means.	The chapels, other buildings including the grounds of the Crematorium belonging to or operated by the Council.
“Grave space” means.	A space available for interments to which a unique number has been issued and referenced to plans of grave spaces.
“Private Grave” means.	A grave space in respect of which the Council has granted an Exclusive Right of Burial.
“Public grave” means.	A grave space in respect of which the Council has not issued an Exclusive Right of Burial.
“Memorial” means..	Any grave monument, headstone, tablet, etc. that has been erected on or surrounding a grave.
“Managers Office” means	Robin Hood Cemetery and Crematoria located at Streetsbrook Road, Shirley Solihull or Woodlands Cemetery and Crematoria located at Birmingham Road, Coleshill, Warwickshire.
“FBCA” means	Federation of Burial and Cremation Authorities
“NAMM” means	National Association of Memorial Masons.
“BRAMM” means	British Register of Accredited Memorial Masons.

Proviso;

- (1) The Council may from time to time make alterations in the following Rules and Regulations without prior notice.
- (2) Any Rules and Regulations previously in force in respect of the Cemeteries and Crematorium, are hereby superseded.

SECTION 2a

REGULATIONS 2007.

Burials.

All burials and associated activities shall be conducted strictly in accordance with all Burial Acts and the Local authorities Cemetery Order 1977 and other regulation made thereunder.

(1) All Cemetery grounds will be open to visitors:-

November to January:-

Weekdays and Saturdays	9.00am to 4.15pm.
Sundays and Bank holidays	10.00am to 4.15pm.

February March and October:-

Weekdays and Saturdays	9.00am to 5.00pm.
Sundays and Bank holidays	10.00am to 5.00pm.

April to September:-

Weekdays and Saturdays	9.00am to 6.00pm.
Sundays and Bank holidays	10.00am to 6.00pm.

- (2) The Council reserves the right to alter the opening/ closing times without prior notice.
- (3) The office of the Manager will be open for public business from 9.00am to 5.00pm Monday to Friday. The office will not be open on Saturday, Sunday and any other day designated as a Bank holiday.
- (4) A “*Notice of Interment*”, must be given on the form/s prescribed by the Council and can be obtained from the Managers office. All forms must be duly completed and signed, and shall be returned to the Manager a minimum of 2 clear working days prior to the time and date of the proposed interment. Such notice excludes Saturdays, Sundays and any other day designated as a Bank holiday.
- (5) The Manager may under special circumstances reduce the time scale if there are religious requirements.
- (6) The Manager shall refuse any application for interment if the required documentation has not been submitted within the required time-scale, is incomplete or incorrect.

- (7) The appropriate certificate for disposal issued by the Registrar of Births & Deaths or the Coroners 'Order for Burial' must be delivered to the Managers Office or the nominated official on site before the time of interment.
- (8) If the interment is of Cremated Remains and the Cremation has taken place other than at Robin Hood or Woodlands Crematoria a certificate issued by the appropriate Cremation Authority will be required for the interment of Cremated Remains.
- (9) The fees and charges in respect of interments must be paid at the Managers office before the time of the interment unless previous arrangements have been made with the Manager.
- (10) Interments shall only be permitted between the hours of 9.00am and 2.45pm Monday to Fridays. Interments are not permitted on Saturday, Sunday or any other day set apart as a Bank holiday. A minimum of one hour is required between interments. This time-scale may be increased at the Managers discretion.
- (11) The Manager shall be notified as soon as possible if a large number of persons are expected to attend the interment, in order to give consideration to operational issues.
- (12) If a funeral arrives late the interment will take place as soon as possible and at a time as directed by the Manager.
- (13) Funeral Corteges and all other persons entering a Cemetery shall at all times be subject to the direction of the Manager.
- (14) No deceased person will be accepted for interment unless he/she is enclosed in a coffin approved by the Manager. The coffin shall bear nameplate with minimum requirement of the full name and the age/date of death (*as stated on the official documentation submitted*), in order to establish the identity of the deceased contained therein.
- (15) For every opening of a private grave the *Exclusive Right of Burial* must be delivered to the Managers Office. If the document is lost or mislaid a grave will only be opened when the Manager is satisfied that it is the owners interment, or that the owner has given their consent in writing to the Manager for the opening of the grave.
- (16) If the owner of a grave as stated on the *Exclusive Right of Burial* is deceased, a re-assignment of the *Exclusive Right of Burial* will be required. All applications must be on the approved 'Forms' supplied by the Manager, this will be required before the opening of any grave can take place.
- (17) Relatives or their representative shall arrange for a Minister, if required, to officiate at the interment.

- (18) The Funeral Director or the family's representative shall provide a minimum of four bearers to convey the coffin reverently from the hearse to the grave. The bearers will be required to lower the coffin into the grave.
- (19) The Funeral Director or the person arranging the funeral shall be liable for any additional charges incurred as a result of change of instruction, lack of information including the correct coffin size on "Notice of Interment", arriving late and incurring overtime by Contractor.
- (20) Funeral Director are reminded to give the actual coffin size (including handles), please do not add any addition inches or millimetres onto the coffin size as stated on the "Notice of Interment" form.
- (21) Mourners will be permitted (if prior notification is received) to backfill a grave, but all works will be under the direction of the Manager.

SECTION 2b.

REGULATIONS 2007.

Cremation.

All Cremations and associated activities shall be conducted strictly in accordance with the Cremation Acts and Regulations made thereunder and in accordance with the Code of Cremation Practice issued by the Federation of Burial and Cremation Authorities (FBCA).

(1) The Crematorium grounds will be open to visitors:-

November to January:-

Weekdays and Saturdays	9.00am to 4.15pm.
Sundays and Bank holidays	10.00am to 4.15pm.

February March and October:-

Weekdays and Saturdays	9.00am to 5.00pm.
Sundays and Bank holidays	10.00am to 5.00pm.

April to September:-

Weekdays and Saturdays	9.00am to 6.00pm.
Sundays and Bank holidays	10.00am to 6.00pm.

- (2) The Council reserves the right to alter the opening/closing times without prior notice.
- (3) The office of the Manager will be open for public business from 9.00am to 5.00pm Monday to Friday. The office will not be open on Saturday, Sunday and any other day designated as a Bank holiday.
- (4) An **'Order for Cremation'** shall be given on the Form prescribed by the Council and can be obtained from the Managers office. The form must be duly completed and signed, and shall be returned to the Managers no later than 3.00pm 2 clear working days prior to the proposed time and date of the Cremation. Such notice excludes Saturday, Sunday and any other day designated as a Bank holiday.
- (5) Under normal circumstances the form stated in (4) above must be accompanied with the following statutory documentation, Forms **'A'**, **'B'**, **'C'**, **'F'**, including the Registrar's **'Disposal Certificate'** or Coroner's **'E'** Certificate and/or any other documentation as required.

- (6) The Manager shall refuse any request for Cremation if the required documentation has not been supplied within the required time-scale or is incomplete or is incorrect.
- (7) Relatives or their representative shall arrange for a Minister, if required, to officiate at the Funeral Service.
- (8) Funeral Directors should be aware that before a Cremation can take place the Councils 'Medical Referee' must be satisfied that the cause of death has been adequately explained. If there is any doubt the Medical Referee will not authorise the Cremation to proceed. In that event the Funeral Director must be aware that the funeral may be delayed or cancelled until such time that the Medical Referee has met his/her statutory responsibility and is in possession of all the necessary information to allow authorisation to be given.
- (9) The fees and charges in respect of cremations must be paid at the Managers office before the time and date of the Cremation unless previous arrangements have been made with the Manager.
- (10) The duration of a cremation service in either chapel shall not exceed 20 minutes, plus an allowance of 5 minutes for entrance into the chapel and a further 5 minutes to exit the chapel, unless prior arrangements have been made with the Manager.
- (11) All chapel times are allocated on the hour and on the half hour. Where a service arrives late the duration of the service must be adjusted so as not to impact on any following service. Where a service arrives too late for a service to be conducted the service shall take place as soon as possible and at a time as directed by the Manager.
- (12) The Manager shall be notified as soon as possible if a large number of persons are expected to attend the Cremation service, in order to give consideration to operational issues.
- (13) Funeral corteges and all persons attending the Crematorium shall at all times be subject to the direction of the Manager.
- (14) The Funeral Director or the family representative shall provide a minimum of four bearers to convey the coffin reverently and in a dignified manner from the hearse to the catafalque.
- (15) The Funeral Director or the family representative shall ensure that any floral tributes placed on the coffin or brought into the chapel during the service are removed to the flower terrace at the conclusion of the service.
- (16) All deceased persons brought for Cremation must be coffined and such coffin shall be made of easily combustible wood or other material, which has previously been approved by the Manager.

- (17) The coffin shall not be painted, varnished or lacquered, no metal external fittings whatsoever shall be used, no metal of any kind shall be used in its manufacture except where necessary for its safe construction and then only metal of a high ferrous content shall be used. There shall be no crosspieces on the bottom of the coffin. Sawdust, charcoal, cotton wool, pitch or tar, plastic or similar materials shall not be used within or on the coffin. No plastic fittings will be permitted other than the nameplate. No coffin covers (unless they conform to the guidance issued by the FBCA) or floral tributes will be allowed to be cremated and shall be removed by the funeral director or the family representative at the conclusion of the service. All coffin lining and other materials either contained within the coffin or used in its construction shall be in accordance with the FBCA recommendations.
- (18) The Manager may refuse to cremate any coffin, which does not comply with these regulations.
- (19) The maximum size of any coffin including handles shall not exceed the following dimensions:-
- Robin Hood: Width 33"(840mm) X Depth 22"(560mm) X Length 7'4"(2235mm)
- Woodlands: Width 33"(785mm) X Depth 26"(660mm) X Length 7'8"(2335mm)
- (20) The coffin shall bear a nameplate stating the full name and the age/date of death (as stated on the official documentation submitted), in order to establish the identity of the deceased contained therein.
- (21) Facilities are available for pre-recorded music (this shall be provided 24 hours prior to the service by the Funeral Director or family representative). The CD's/tapes shall be provided, clearly labelled and ready to play. The Manager accepts no responsibility for the incorrect music being played or damage to the CD's/tapes. Original CD's only will be accepted, recordable or re-writable CD's will not be accepted. Where tapes are used each piece of music shall be on separate tape and supplied ready to play.
- (22) No person shall be allowed to enter the committal room without the permission of the Manager. In the case where representatives of the deceased wish to witness the coffin being placed into the Cremator (where prior notification has been received), the Manager may permit a maximum of five representatives (to comply with Health and Safety requirements) to enter the viewing area for this purpose. All such persons will be subject to direction at all times by the manager.
- (23) The Funeral Director or the person arranging the funeral shall be liable for any additional charges incurred as a result of change of instruction, lack of information, arriving late and incurring overtime.

SECTION 2c.

REGULATIONS 2007.

Conduct.

- (1) The Council will undertake the Management of the Cemeteries and Crematoria; this will include the maintenance of all lawns, flower, shrub and rose beds, trees etc. No person or persons other than the Council and persons acting under their authority shall have any right to take or to prohibit any action in relation to the Cemetery or Crematorium or to any grave, grave space, or vault therein, except in so far as he/she may possess such right by law, by virtue of any deed of grant or agreement made by or with the Council, or under the provisions of the Council's Regulations for the time being in force relating to the Cemetery or Crematorium.
- (2) The Council reserves the right to alter or discontinue their management and maintenance of the Cemeteries or Crematorium as they may think fit from time to time.
- (3) The Council reserves the right to decline, at their absolute discretion, to grant "Exclusive Rights of Burial" whenever they may think it proper to do so.
- (4) The Council further reserve the right, after reasonable notice to the persons concerned and failure on their part to take any action, to remove or alter any works or other things which may be infringements of these Regulations, which present a potential health and safety hazard, impair their maintenance operations or which may, in their opinion be in a state of disrepair or unsightly.
- (5) The Council also reserves the right to exclude the public or any person or persons from the Cemetery or Crematorium whenever they may consider this to be reasonable and proper.
- (6) The Council will exercise proper care in their maintenance operations, but will not accept responsibility for any damage, which these operations may cause.
- (7) No article other than floral tributes shall be placed on a grave without the permission of the Manager.
- (8) The placing of floral tributes and other items are not permitted in the Garden of Remembrance at the Crematorium. Floral tributes and other items placed in the Garden of Remembrance will be removed and disposed of at the discretion of the Manager. Facilities are provided within and adjacent to the Gardens of Remembrance for the placing of floral tributes.
- (9) Any memorial or part thereof placed upon graves shall not be removed from the Cemetery or Crematorium without the permission of the Manager.

- (10) The placing or attaching any item to trees, shrubs fences etc, any where within the cemetery is not permitted.
- (11) Shrubs, plants, flowers etc. shall not be taken out of the Cemetery or Crematorium without the permission of the Manager.
- (12) All dead flowers, wreaths, litter and rubbish shall be conveyed to the nearest litter bin provided.
- (13) Motor vehicles may enter the Cemetery or Crematorium where there is a designated vehicle access, all vehicles shall not be driven in excess of 10 mph and must remain on main drives and shall not be allowed to enter side walks, paths, shale areas, grassed and planted areas.
- (14) Any damage caused to turf, plants, shrubs, trees etc. by vehicles the owner of such vehicle shall be liable for the cost of its repair or replacement.
- (15) Any damage caused to memorials or buildings by vehicles the owner of such vehicle shall be liable for the cost of its repair.
- (16) The playing of radio's, music or any musical instruments in the grounds of the Cemetery or Crematorium shall not be allowed without the permission of the Manager.
- (17) Children under the age of ten years of age shall not be allowed on the grounds of the Cemetery or Crematorium unless under the supervision and control of a responsible adult.
- (18) Dogs shall not be allowed on the grounds of the Cemetery or Crematorium except on a lead and under control at all times.
- (19) Dogs (*accept guide dogs*), and any other pet or animal will not be allowed into the Chapels, Book of Remembrance rooms or public waiting rooms
- (20) Visitors shall not prevent the Council's staff from carrying out their duties nor employ them to carry out work within the grounds of the Cemetery or Crematorium.
- (21) Gratuities shall not be given to staff.
- (22) No person shall, without the permission of the Manager and of the owner make a drawing, sketch or take any photographs of any grave, memorial or building within the grounds of the Cemetery or Crematorium.

- (23) Where the Council remove a memorial or part thereof or any other item/object to ensure compliance with regulations, the Council will not be responsible for its safe keeping, nor if as a result of their actions any damage occurs to any item removed.
- (24) No person shall distribute any tract, business card, advertisement, or literature of any kind within the grounds of the Cemetery or Crematorium without the permission of the Manager.
- (25) No person shall do anything that is likely to cause offence to any other person lawfully using the Cemetery or Crematorium.

SECTION 2d.

REGULATIONS 2007.

Decoration of Graves and Memorials

- (1) It is recognised that the issue of grave and memorial decoration is a very sensitive issue. The following regulations have been designed to allow bereaved families the opportunity to decorate their family grave and memorial which does not impact on safe access to all graves and areas of the cemetery/crematorium grounds and which does not prohibit works or maintenance of the grounds.
- (2) In order to avoid any additional distress it is advisable that before any items are placed on a grave/memorial you contact the appropriate cemetery office to seek guidance.

(i) Earth Graves

- (1) Immediately following an interment within a new earth grave the soil will be mounded over the excavation to allow for settlement. We will also place on all new graves a temporary wooden marker, stating the name of the deceased. This will be removed following the erection of a permanent memorial or after twelve months whichever is the sooner.
- (2) Families are permitted to personalise the mounded area of the grave with temporary vases, and other decorative items, including wooden fence, not exceeding 6 inches (150mm) in height, 3 feet (915mm) in width and 7 feet (2130mm) in length. However, all such temporary works shall allow for safe access to all other graves/areas. The maintenance of all such works will be undertaken by the family. Where it is clear that the area is not being maintained and has become neglected, dilapidated or where the works poses a significant health and safety hazard the council reserves the right to remove all items placed.
- (3) All new and re-open graves will normally be turfed 12 - 18 months following interment.
- (4) We will write to the deed owner prior to the turfing operation in order to give the owner sufficient notice and the opportunity to remove all items placed on the grave. Notices will also be placed in the areas of the cemetery giving details of when the turfing programme is due to commence.
- (5) Items not removed by the family before the start of the turfing programme, will be removed by the Councils' Contractor. We cannot take responsibility for the safe keeping of any items removed.
- (6) Following the completion of the turfing programme, decorative items will only be permitted on the slabs/concrete beam or gravelled channel located at the head of the grave.

- (7) No items will be permitted on the turfed area of the grave. This includes; fences, vases, planters, statues, ornaments, toys, wind chimes or lanterns or similar items. The turf on a grave shall not be cut away, removed or interfered with by any person.
- (8) No fences, stones/chippings, etc of any kind will be permitted on or around any part of the memorial or grassed area of the grave.
- (9) No wooden, plastic or metal stakes (this includes flags, shepherd crooks, windmills, or similar items) above 6inches (150mm) of any kind will be permitted on any grave/memorial following the turfing programme.
- (10) The Council reserves the right to remove any item placed on any grave that is considered unsuitable, damaged, dilapidated, dangerous etc. Where appropriate, items removed will be stored for collection by the family, but we cannot be held responsible for their safe keeping.

(ii) Cremated Remains Graves

- (1) On the area set aside for interment of Cremated Remains, no decorative items including; vases, planters, statues, ornaments, toys wind chimes or lanterns, or similar items will be permitted on the turfed area in front of the memorial slabs. All items placed must be located on the slabs located at the head of the grave.
- (2) No fences, stones/chippings, etc of any kind will be permitted on or around any part of the memorial or grassed area of the grave.
- (3) The turf on a Cremated Remains grave shall not be cut away or interfered with by any person.
- (4) No wooden, plastic, or metal stakes (this includes flags, shepherd crooks, windmills, or similar items) above 6inches (150mm) of any kind will be permitted on any grave/memorial following the turfing programme.
- (5) The Council reserves the right to remove any item placed on any grave that is considered unsuitable, damaged, dilapidated, dangerous etc. Where appropriate items removed will be stored for collection by the family, but we cannot be held responsible for their safe keeping.

(iii) Cemetery/Crematorium Grounds

- (3) The placing of unauthorised memorials, markers etc. is not permitted anywhere within the grounds without permission of the Manager.
- (4) The planting of trees, shrubs, plants, flowers, bulbs etc. and the placing of fencing or similar, in any Shrub bed, Rose bed, Gardens of Remembrance, or any other part of the Cemetery or Crematorium grounds is not permitted and the Council reserve the right to cut down and/or remove and dispose of such items.
- (5) The placing of any metal, wooden or plastic stakes anywhere within the cemetery is not permitted.
- (6) The placing of vases and floral tributes in any shrub bed, rose bed, around the base of trees, within the Gardens of Remembrance, is not permitted. The Council reserve the right to remove and dispose of any such items placed
- (7) Attaching any item including, floral tributes, wind chimes, cards etc to any memorial seat, tree, shrub etc, or anywhere within the grounds is not permitted. The Council reserve the right to remove and dispose of any such items placed
- (8) The placing of any items around the perimeter of Above Ground Vaults or on any gravelled area set aside for the interment of cremated remains is not permitted.

(iv) Contact

- (1) Where it is necessary to remove any items placed we will write to the deed owner or the applicant for cremation explaining what and why the items are required to be removed. This will give the family the opportunity to remove the items.
- (2) If items placed on a grave are considered to pose a significant hazard to visitors or staff or prohibit the maintenance of any area of the cemetery grounds, items will be removed and we will then write to the deed owner or the applicant for cremation explaining the action taken.
- (3) We appreciate that the person or persons placing the items may not be the deed owner or the applicant for cremation; however, the deed owner or the applicant for cremation may be aware of the persons placing the items and be able to explain the action taken.
- (4) We will in all cases write to the deed owner or the applicant for cremation at the address shown in our records, it is therefore important to keep us informed of any change of address to ensure our records are kept up to date.

SECTION 3

REGULATIONS 2007

MEMORIAL STONEMASONS.

The following regulations cover all the Cemeteries and Crematoria under control of the Council.

1. APPLICATION.

An application form shall be completed, duly signed by the grave owner, and submitted to the Manager for approval. If the grave owner is deceased a transfer of the Exclusive Right of Burial will be required before the application will be approved. The only exception to this regulation is as follows. (If the proposed work or additional inscription is as a result of the grant owners interment, the form must be signed by a duly authorised person.)

In the case of a new memorial the application form must contain the following minimum information:-

- (a) Detailed drawing of memorial.
- (b) Position of flower vases.
- (c) Materials to be used.
- (d) Full dimensions (showing height, width and depth).
- (e) Position of ceramic photographs (if applicable).
- (f) Proposed inscription in full.
- (g) Foundations.
- (h) Fixing method to comply fully with the National Association of Memorial Masons (NAMM), Code of Working Practice.
- (i) Other as required.

In the case of second or subsequent inscription, or refurbishment etc., the application form must contain the following minimum information:

- (a) Inscription to be added.
- (b) Full details of proposed work.
- (c) Full details/sizes of additional materials to be used.
- (d) Foundations.
- (e) Fixing method to comply fully with the NAMM Code of Working Practice.
- (f) Other as required.

2. WORKS PERMIT.

If the Manager has approved the application and the necessary fee has been paid (where applicable) a works permit will be issued to the Memorial Mason.

A Memorial Mason will not be allowed to erect, remove, carry out any repairs or re-inscribe any memorial without an application form being submitted and a works permit issued by the Manager. The works permit shall be handed to the staff on arrival at the site prior to any work being carried out. A memorial shall not be erected/placed without the location being verified by an Authorised officer.

3. HOURS OF WORKING.

At least 24 hours notice shall be given to the Manager before any works are commenced on site. A Memorial Mason will be permitted to work in the Cemeteries between the following hours only:

Monday to Friday, 9.00am to 4.00pm .

Work will not be allowed on Saturdays, Sundays and any other day set apart as a Bank Holiday.

4. FOUNDATIONS.

Where the Authority provides foundations they shall not be removed, replaced or altered in any way without the permission of the Manager.

Where foundations are not provided by the Authority the memorial shall be supported by such foundations as recommended by the current NAMM, Code of Working Practice and full descriptions shall be given on the application form submitted for approval.

5. FIXING.

All construction, repairs, bonding and joints of a memorial shall be in accordance with the current Code of Working Practice issued by the NAMM. All workmanship shall be to the entire satisfaction of the grave owner and the Manager.

6. REMOVAL OF SURPLUS MATERIAL.

Memorial Masons shall remove to a place directed by the manager, all surplus earth or debris as a result of any work being carried out and leave the site in a clean and tidy condition.

7. REMOVAL OF MEMORIALS.

Any memorial or any part of a memorial, removed to allow for the opening of a grave, or for the memorial mason to undertake any work to it, shall be removed at the risk of the Memorial Mason and the grave owner, the Council will not accept responsibility for its temporary storage, loss or damage whilst stored in the Cemetery.

Any memorial removed from its fixed position on the grave shall be taken off site, no memorial or any component parts shall be left on site without the permission of the manager. Any memorial or component parts remaining on site may be removed and disposed of. The manager will not accept any responsibility for any damage or loss as a result of removing and disposing of a memorial or any component parts under these conditions.

8. UNAUTHORISED MEMORIALS.

The Council may effect the removal of any memorial which has been placed on a grave or within the Cemetery or Crematorium grounds, without the required permission or, if the memorial is not as approved on the memorial application form or, which in the opinion of the Manager has become dangerous or unsightly.

If the Council incur any costs as a result of removing an unauthorised memorial or as result of any Memorial Masons work. The Council shall recover the costs incurred from the Memorial Mason or from the individual concerned.

9.DAMAGE.

Any damage caused to memorials on any grave as a result of work within the Cemetery by a Memorial Mason will be made good or replaced to the standard specified by the grave owner or the Manager whichever is appropriate. Replacements or repairs will be at the expense of the Memorial Mason and must be completed within 20 working days. If the memorial has not been made good in that time, the Council will carry out the repairs and recharge the Memorial Mason for all cost incurred.

Any damage to roads, turf, planted materials or any other items or area within the Cemetery as a result of the Memorial Masons carrying out their work, this will either be repaired or replaced to the standard specified by the Manager and at the expense of the Memorial Mason. The repairs or replacement may be carried out by the Memorial Mason, if the work has not been completed within 20 working days the Authority will carry cut the repairs/replacement and recharge the Memorial Mason for all costs incurred.

10 INSURANCE.

Memorial Masons shall satisfy the Council that they possess adequate insurance to cover damage to materials and/or memorials.

Memorial Masons shall satisfy the Council that they have a valid public liability insurance cover of £5,000,000 minimum.

11. BRAMM ACCREDITATION

Memorial Masons who wish to undertake any works with any Council operated Cemetery shall possess the following:

- From 1 July 2007 possess 'BRAMM Business Accreditation'.
- From 1 January 2008, possess 'BRAMM Fixer Licence'

All such accreditation shall be renewed and kept up to date as required by BRAMM.

12. HEALTH AND SAFETY.

All work carried out by the Memorial Mason whilst in the Cemetery shall comply with all provisions of the Health and Safety at Work Act 1974 or amendments thereto.

13. ACCOUNTS FACILITY.

Memorial Masons may apply for an account facility for the payment of appropriate fees. The payment shall be made in full on or before the date stated on each account issued. If payment is not made within 30 days of issue, the Memorial Mason will be in breach of these regulations and the appropriate action will be taken.

If there are any discrepancies regarding the amounts shown on the account/ the Memorial Mason shall seek clarification with the Manager before the date payment is due.

14. BREACH OF REGULATIONS.

On a breach of these regulations, depending on severity, which shall be at the discretion of the Manager. The Manager shall implement the default procedure, which is as follows:-

In any 12 month period:

- (a) On the first breach of the regulations the Memorial Mason shall receive a written warning.
- (b) (i) On the second breach of the regulations the Memorial Mason may be suspended from operating within the Council's Cemeteries for a limited period of time.

and/or

(b) (ii) The account facility may be withdrawn for a minimum period of 6 months.

(c) (i) On the third breach of the regulations the Memorial Mason may be suspended from operating within the Council's Cemeteries indefinitely.

or

(c) (ii) The account facility may be withdrawn permanently.

Where appropriate a report concerning the breach of these regulations may be forwarded to BRAMM for their consideration and or any appropriate action.

SECTION 4a.

REGULATIONS 2007.

MEMORIAL REGULATIONS

GENERAL REQUIREMENTS

- (1) The following Regulations are General Rules and Regulations, and appertain to all Cemeteries and Crematoria under the control of the Council.
- (2) Memorials are not permitted on graves where no 'Exclusive Rights of Burial exist.
- (3) Where memorials are permitted, subject to the appropriate fee being paid and the required permission being given by the Manager. Shall comply fully with the regulations appertaining to that site and section as detailed elsewhere within these regulations.
- (4) Notice must be given to, and permission obtained from the Manager before removing a memorial or carrying out any work in connection therewith.
- (5) A vase of approved material, and bearing a personal inscription of any kind shall be regarded as a memorial and be subject to the appropriate fee. Permission to place such items will be required from the Manager.
- (6) A vase or any container which are not of the approved material are not permitted and shall be removed at the discretion of the Manager.
- (7) Railings, frames or palisading of any description will not be allowed on or around any grave, except where these regulations state otherwise.
- (8) Stones, chippings, gravel etc. of any description will not be allowed on or around any grave, except where these regulations state otherwise.
- (9) No item/object will be allowed on or around a grave without the written permission of the Manager. The Manager reserves the right to remove such items/objects where in the opinion of the Manager it:
 - Interferes with or prohibits the maintenance of the grounds.
 - Is considered to be a risk to the health and safety to members of staff or visitors to the grounds.
 - Is considered to be damaged, dilapidated, offensive or inappropriate.

- (10)** Where it has been necessary for the Manager to remove memorials or other objects from any grave or other areas within the Cemetery or Crematorium, which do not comply with these regulations, the Manager shall not be responsible for it's safe storage and shall not be responsible for any damage caused to these memorials or objects.
- (11)** Memorials and or any other objects removed by the Manager on the occasion of re-opening of a grave shall be moved and replaced at the risk of the owner.
- (12)** No hewing or dressing of memorials shall be permitted within the Cemetery or Crematorium grounds and all materials shall be conveyed into the grounds in such a manner as will avoid annoyance to persons or damage to grounds, paths, planted areas and other memorials, etc.
- (13)** All memorials shall be kept in good repair by the owner and if they are not kept in good repair, may be repaired by the Solihull Council at it's discretion and the owner will be responsible for all costs incurred by them in carrying out such work.
- (14)** Where it appears that a memorial is in a state of disrepair and in the opinion of the Manager that it is not possible or financially viable for the memorial to be repaired, the memorial shall be dismantled and placed within the grave and turfed over.
- (15)** The Manager shall determine the positioning of all memorials and graves.
- (16)** The following regulations Section (4b), have been compiled as a guideline to the type, style and size of memorialisation within the Council Cemeteries and Crematorium and are specific to each site or section within a site.

SECTION 4b.

MEMORIAL REGULATIONS 2007.

MEMORIAL REQUIREMENTS

ROBIN HOOD/WOODLANDS/WIDNEY MANOR CEMETERIES & CREMATORIA

The following regulations have been compiled as a guideline to memorialisation within the Council Cemeteries. If you have any queries relating to the regulations please contact the Managers office.

1. FULL EARTHEN GRAVES. (Lawn Sections)

Type of memorial:-	Headstone and base
Material:-	Granite, Marble, Westmoreland Green Slate or similar natural quarried stone.
Position:-	The memorial shall be located and fixed in position, and must comply fully with NAMM's Code of Working Practice, on the concrete raft provided.
Base:-	Can be made from the same material as the second tier or any other natural quarried stone.
Vases:-	Permitted within the construction of the memorial.
Free standing vases:-	Natural stone vases are permitted on and shall not exceed 7" x 7" x 7". They shall not be permanently fixed and shall bear the grave number.
Protective frames:-	Frames of any kind are not permitted on a grave or around a memorial.
Ceramic photographs:-	Maximum size of 6" x 4" and their position on the memorial shall be indicated on the Memorial Application Form.
Trade names:-	Trade names (excluding contact details), can be inscribed on the left hand side of the memorial base. Letters shall not exceed 1/2" or 12mm in height and shall not contain more than four words.
Grave numbers:-	Shall always be inscribed on the front of the memorial at the bottom right hand side of the memorial base.

Sizes of memorial:-	Maximum Height (including Base)	1520 mm (5')
	Maximum Width (excluding Base)	760 mm (2'6")
	Maximum Depth (excluding Base)	400 mm (1'4")
	Minimum Depth (excluding Base)	75 mm (3")

Sizes of memorial Base	Maximum Width	1065 mm (3'6")
	Maximum Depth	460 mm (1'6")

2. FULL EARTH GRAVES (Traditional section)

On those areas designated as 'Traditional Sections' memorials of differing sizes, designs and materials are permitted please refer to Managers office for further details.

All such memorials shall be constructed from natural quarried stone and manufactured and fixed to comply with NAMM's Code of Working Practice.

3. CREMATED REMAINS SECTIONS.

Type of memorial:- Ledger type.

Material:- Granite, Marble, Westmoreland Green Slate or similar natural quarried stone.

Position:- The memorial shall be located and fixed in position, and must comply fully with NAMM's Code of Working Practice, on the concrete raft provided, (where required).

Vases:- Permitted within the construction of the memorial.

Free standing vases:- Natural stone vases are permitted on and shall not exceed 7" x 7" x 7". They shall not be permanently fixed and shall bear the grave number.

Protective frames:- Frames of any kind are not permitted on a grave or around a memorial.

Ceramic photographs:- Maximum size of 6" x 4" and their position on the memorial shall be indicated on the Memorial Application Form.

Trade names:- Trade names (excluding contact details), can be inscribed on the left hand side of the memorial. Letters shall not exceed 1/2" or 12mm in height and shall not contain more than four words.

Grave numbers:- Shall always be inscribed on the front edge of the memorial at the bottom right hand side.

Sizes of memorial:-	Maximum Height (at Rear)	200 mm (8")
	Minimum Depth (at Front)	25 mm (1")
	Maximum Width	610 mm (2'0")
	Maximum Depth	430 mm (1'5")

Note.

Two tier memorials are permitted, but must not exceed the overall maximum and minimum sizes given.

4. CREMATED REMAINS SECTIONS. (Other areas)

On those areas including the Bronze section (Robin Hood), and the Westmoreland Green Slate section (Woodlands), offer memorials of differing sizes, designs and materials please refer to Managers office for further details.

5. OTHER SECTIONS

For any type of grave or section not mentioned within these regulations please refer all queries to the managers office

SECTION 5a

REGULATIONS

Guidance Notes

INSTRUCTIONS TO FUNERAL DIRECTORS

(Issued by the Federation of British Cremation Authorities 2006)

1. Responsibility

The Funeral Director shall observe the regulations of the Cremation Authority. The Funeral Director is responsible for the provision of sufficient bearers to convey the coffin from the hearse to the catafalque. When the coffin is in position on the catafalque or deposited in the rest room or Chapel of Rest at the Crematorium the responsibility of the Funeral Director towards it ceases and that of the Cremation Authority begins.

2. Notice of Cremation

The length of notice to be given for a cremation and the time of the cremation, as agreed, must be strictly adhered to. All statutory and non statutory forms and certificates, as required by the Cremation Authority, must reach the crematorium office by the specified time. For administrative reasons these times may vary to local requirements.

3. Construction of the Coffin

The coffin must be made of suitable material which, when placed in a cremator and subjected to the cremation process, is easily combustible and which does not emit smoke, give off toxic gas or leave any retardant smears or drips after final combustion. No metal of any kind shall be used in the manufacture of such coffin except as necessary for its safe construction and then only metal of a high ferrous content. Cross pieces must not be attached to the bottom of the coffin. If it is desired to strengthen the bottom of the coffin, wooden strips may be placed lengthways for this purpose.

Cardboard coffins should not contain chlorine in the wet strength agent. (e.g. not using polyamidoamine-epichlorhydrin based resin (PAA-E)). Contact should be made with the Crematorium Administration to ensure that the coffin selected is fit for the purpose of cremation.

4. Coffin Furniture and Fittings

No metal furniture or fittings whatsoever shall be used on a coffin for cremation. Coffin handles should be free from unnecessary metal components. External coatings to a coffin must allow for smokeless combustion and the use of nitro-cellulose varnish, polyurethane, melamine and any products containing polyvinyl chloride (PVC) or melamine must not be used in coffin construction or furnishings. Water based lacquer free from additives containing heavy metals

may be used for coating a coffin or a suitable cloth may be used for covering a coffin. The exception to the forgoing is the use of polystyrene which is restricted to the coffin nameplate only and this must not exceed 90 grams in weight.

5.Lining of the Coffin

The use of saw dust or cotton wool or shredded paper within a coffin must be avoided. If lining of a coffin is necessary, this should be manufactured from polythene not exceeding 75 microns in thickness. Lead or Zinc lining must not be used. The use of shredded paper within the coffin is not permitted.

6. Size of the Coffin

Where the external dimensions of a coffin are likely to exceed length 81 inches(206cms); width 28 inches (71cms); depth 22 inches (56cms) the proper officer of the crematorium must be consulted as soon as practicable.

7. Clothing and Coffin Content

In order to minimise the release of pollutants to air, it is recommended that clothing should be of natural fibres and that shoes or any material manufactured from PVC should not be included. Body adornments manufactured from copper should be removed as should any easily removable prostheses or casts of plaster or other material. Additional items, particularly of glass or plastic, should not be placed within the coffin.

8. Cremation of Infants and Foetal Remains

In cases where bereaved parents desire the cremation of an infant or of foetal remains, they should be warned that there are occasions when no tangible remains are left after the cremation process has been completed. This is due to the cartilaginous nature of the bone structure.

If the warning is not given the parents may have been denied the choice of earth burial and thereby subjected to understandable distress.

9. Body Parts

Body parts presented at the crematorium for cremation normally consist of soft tissue which in the absence of any bone structure will not produce any cremated remains.

10. Cremated Remains

The utmost care should be taken when dealing with cremated remains. If the Funeral Director supplies an urn or casket for cremated remains it should be of sufficient internal dimension to provide a minimum of 200 cubic inches (3,280 cubic cms.) and securely labelled. The container should be strong enough to resist breakage in transit.

The lid must fit tightly and the fastening should be strong enough to prevent the lid being forced open by distortion of the container through maltreatment in transit.

SECTION.5b

REGULATIONS

Guidance Notes

CODE OF CREMATION PRACTICE

(Issued by the Federation of British Cremation Authorities 2005)

1. Conduct.

The Cremation of a human body is a highly emotional occasion for those taking part in the service. This must never be forgotten by the staff of the Crematorium, who must combine to create and maintain an atmosphere of reverence and respect throughout the entire proceedings.

2. Staff.

The greatest care must be taken in the appointment of members of the Crematorium staff, any one of whom may, by conduct or demeanour detract from the atmosphere of reverence which is endeavoured to create. All staff employed in the operation of cremators must be suitably trained in the technical and ethical procedures and certificated as specified in the Secretary of State's Guidance Notes of the Environmental Protection Act 1990 or any subsequent legislation made thereunder.

3. After Committal.

- (a) A body shall not be removed from the Crematorium after the Service of Committal except for a lawful purpose.
- (b) Subject to receiving the necessary Authority to Cremate, the coffin and its contents shall be put into the Cremator, as soon as practicable, exactly as they have been received on the catafalque. A body not cremated on the same day as the coffin is received at the Crematorium may only be retained on the written consent of the Applicant for cremation and in circumstances deemed necessary by the Cremation Authority, including impacts on the environment. All bodies retained at the crematorium will be accommodated in secure and sanitary conditions within the building.
- (c) Once a coffin, with its contents, has been placed in the Cremator, it shall not be touched or interfered with until the process of cremation is completed. On completion the whole of the Cremated Remains shall be collected shall be disposed of in accordance with the instructions received.

4. Correct Identity.

- (a) No coffin shall be accepted at any Crematorium unless it bears adequate particulars of the identity of the deceased person contained therein. If a coffin is encased, the cover and the coffin must bear adequate identity of the deceased person.

- (b) Every care must be taken to ensure correct identification throughout the whole proceedings from the moment the coffin is received on to the catafalque until the final disposal of the Cremated Remains.

5. Separately Cremated.

Each coffin given to the care of the Cremation Authority shall be cremated separately.

6 Coffin Covers

When a re-usable cover is used to encase a coffin, signed authority must be given by the Applicant for the cremation authorising its use and consenting to its subsequent removal from the Crematorium.

7. Metal Residues.

Any metal found amongst the Cremated Remains shall be disposed of in accordance with the directions of the Cremation Authority or Higher Authority.

8. Cremated Remains – Care to be Taken.

The utmost care shall be taken to ensure that the Cremated Remains, following their removal from the cremator, shall be kept separate and suitably identified. The Cremated Remains shall be placed in a separate container awaiting final disposal. If the Cremated Remains are to be disposed of in a Garden of Remembrance, this shall be conducted with reverence and respect. Cremated Remains to be conveyed by carrier service should be placed in a suitably labelled robust container and dealt with according to recommendations laid down by the Federation of British Cremation Authorities.

9 Cremators And Ancillary Equipment.

Cremators and all ancillary equipment used in the Crematorium shall be kept in good repair, and maintained in accordance with manufacturers' recommendations, and the requirements of the current guidance Notes issued under the Environmental Protection Act 1990 or subsequent legislation.

10. Statutory Regulations.

All Cremations shall be carried out according to the provisions of the Cremation Acts and the Regulations made thereunder, and any subsequent legislation.

SECTION 5c.

REGULATIONS

Guidance Notes

GUIDANCE FOR THE USE OF COFFIN COVERS

(Issued by the Federation of British Cremation Authorities 2006)

The Executive committee of the Federation accepts that the use of an outer cover to encase a coffin is within the ethical standards of the Code of Cremation Practice. The decision to accept the use of the cover is a matter for individual Cremation Authorities whose judgement may be influenced by the layout of the crematorium buildings and the ability to remove a cover from the crematorium without offence or concern to visitors to the crematorium.

The following detail is offered as guidance for the controlled use of coffin covers:

1. Prior notice of at least 24 hours should be given to the appropriate crematorium officer when a cover is to be used.
2. A signed authority should be given by the Applicant for the cremation authorising use of the cover and consenting to its subsequent removal from the crematorium.
3. Both the cover and the coffin must bear adequate identity of the person contained therein.
4. The Cremation Authority should be satisfied, by prior inspection if necessary, that the cover is designed in such a way that removal of the cover is easily facilitated and in a way that prevents the possibility of damage being caused to the coffin or accident or injury to staff.
5. Consideration should be given to the cover dimensions; in particular the width including handles, so as to ensure that it can pass through any apertures such as may be encountered with a lowering catafalque or any other restricted opening adjacent to a catafalque.
6. The coffin should have sufficient strength and rigidity not only to contain the body but also to withstand the rigours involved when it is charged into a cremator.
7. To enable easy removal of the coffin from its cover it is advisable to have two biers available, both with roller facility.
8. The cremation Authority should not accept responsibility for any damage to the cover howsoever caused.

9. There is a need to ensure that there is sufficient space within the crematorium building to house the covers pending their collection by the funeral director.

10. The funeral director should provide sufficient staff for the collection of the covers which should be at a time and in a manner agreed with the crematorium management.

SECTION 6

REGULATIONS

GUIDANCE NOTES FOR GRAVE OWNERS CONCERNING THE 'EXCLUSIVE RIGHT OF BURIAL'

The ownership of a Grant of Exclusive Right of Burial within a grave not only conveys certain rights up on the owner, but also imposes a number of requirements and responsibilities.

The following guidance notes briefly describe your rights and responsibilities. If you require clarification on any of the information provided, or if you require any further information relating to cemetery or crematoria matters, please do not hesitate to contact a member of staff who will be more than happy to assist you.

1. Burial Rights

The Grant is in the form of written document (grave 'Deeds'), this is issued by the Council on payment of the appropriate fee. The period for which any rights apply is stated on the document. During this period the person registered with the Council as being the owner of the Grant has the sole right to decide who may be interred within the grave. At the end of the stated period unless the owner has renewed the Grant, all rights cease to exist.

Please note:

The Grant does not convey any ownership of the land itself, as this will remain in the ownership of Solihull Metropolitan Borough Council.

2. Memorial Rights

The Exclusive Right of Burial includes the right to place a memorial (which must be approved by the Council), installed in the designated area on the grave.

Grant owners are required to apply for permission, if they wish to have a memorial erected upon a grave. Normally, the application will be completed and submitted, on behalf of the Grant owner, by the Funeral Director or Memorial Stonemason contracted by the owner to carry out the work.

There are restrictions upon the size and design of a memorial, the material used in its construction and the method used for fixing. Considerations will also have to be given to the potential for causing offence to other cemetery visitors.

In all cases the Owner of the Grant will be required to give permission for any inscription, any additional inscription or any refurbishment works carried out to the memorial placed on the grave.

Please note:

Memorials placed on graves, which have not been authorised, do comply with Memorial Regulations, or where a memorial is considered to be danger to other visitors, will be removed by the Council.

3. Assignment Of Grant ('Deeds')

At the time of interment or purchase, the Grant will be registered with the Council in the name of the person given on the application form. In order for a transfer of ownership to be recognised by the Council the possessor will need to prove legal entitlement to the Grant: -

- Where a formal Letter of Assignment, signed by the former registered owner, has passed the ownership of the Grant to the grant possessor.
- Where the original owner of the grave rights has died, the person holding the Grant document has inherited the estate of the deceased and is therefore legally entitled to claim ownership of the Grant.
- If the estate of the original owner has been divided amongst surviving heirs, (for example, if the deceased left no will), all the deceased heirs of equal standing will have claim to the ownership of the Grant. In such circumstances, the person wishing to be registered as the new owner will need to provide written proof that the other legal claimants agree to relinquish any claim or entitlement to the ownership of the Grant.

4. Grave Maintenance

For a number of years now all new burial areas within the cemeteries have been laid out in what is known as 'Lawn' style. Using this system, the Council is able to gain easy access to all graves within the burial section, this allows for more effective maintenance of grave surfaces at more economical cost to the Council and allows for simplifying the excavation of graves for future interments.

In order to ensure continual access and ease of maintenance of all grave areas, owners are permitted to place any memorials, artefacts, flower containers etc. only on the memorial foundation area at the head of the grave. Owners are encouraged to maintain this area themselves in order that the Contractors staff do not have to disturb any flowers or articles present.

Flower containers should not be made of glass or porcelain, as these materials will often fall over or crack due to water freezing during periods of freezing temperature. Similarly, plastic materials become brittle due to prolonged exposure to sunlight.

In the period following an interment the grave surface will be subject to settlement. The initial settlement lasts for 12 -18 months. Once this initial settlement has taken place, the surface will be grassed over. Over future years the grave will continue to settle and may require re-instating from time to time, which will be carried out periodically by the Council.

In the old traditional areas of the cemetery, properly installed masonry surrounds may, with the approval of the Council, enclose grave surfaces. It is the responsibility of the Grant owner to arrange for these enclosed grave surfaces to be maintained.

Please note:

Planting, the locating of flower vases or artefacts within the grave area is not permitted once the Council has completed the laying of turf. All such items must be located on the memorial foundation area only. Any items placed which, prevent or interfere with the maintenance of the grave, may be a health and safety hazard to staff or visitors or which in the opinion of the Council is dilapidated or unsightly the Council reserve the right to remove and dispose of such items at their discretion.

5. Memorial Maintenance

If an interment is to take place in an existing grave the Grant owner will need to ensure that the memorial, or any pot plants, artefacts, etc. are removed prior to the grave being opened (where required). This may be carried out by arrangement with the Funeral Director or the Memorial Stonemason.

One of the advantages of the Lawn style system is that memorials can be installed or replaced following an interment, at any time. In traditional sections, memorials cannot be installed or replaced following a burial until the ground has adequately re-settled. This will usually take a further 12 - 18 months following the interment for the initial settlement to be completed.

In traditional sections of the cemetery, grave owners will need to arrange for their memorial supplier to install a foundation suitable for the purpose of ensuring the future stability of the memorial. The Council will consider all applications for the installation of larger memorials or those of innovative design, and may advise on the type of foundation required.

There are no restrictions on the wording inscribed on a memorial other than it should not give offence to other members of the public.

The Grant owner is responsible for ensuring that any memorial installed on their grave plot has been properly constructed, and has been installed in accordance with the best practices of the memorial industry. It is reasonable for the Grant owner to expect their memorial supplier to guarantee their work for a limited period.

It is recommended that the Grant owner should insure the memorial against theft, loss, or damage. Most Memorial stonemasons can arrange for appropriate cover.

The Grant owner is responsible for the upkeep and maintenance of the memorial, and any other items placed on the grave.

It is strongly recommended that the Grant owner should have the stability and condition of the memorial checked annually. Failure to do so may result in the Grant owner being held liable for any injury or damage caused to a third party, particularly if the injury or damage is shown to be due to the condition of the memorial or the manner in which it was installed.

The Council has a duty of care towards cemetery visitors. In order to comply with this duty, the Council will carry out safety inspections of memorials.

In the event that a memorial is identified as being a potential hazard, the Council is duty bound to take action to reduce the risk to visitors. If the memorial is unstable, and liable to fall, the memorial may have to be laid down onto the ground to reduce the risk of injury to others. The Council will attempt to contact the Grant owner, at their last known address, to inform them of the reason for taking the action. Regular memorial inspections arranged by the Grant owners themselves could avoid the need for such action.

6. General Notes

It is important to keep the Grant document in a safe place, as this is the only legal document held by the owner confirming their entitlement to future interments and memorial rights.

It is also important to notify the Cemetery Office of any change of address.

The 'Exclusive Rights of Burial' (Grant) may be purchased in reserve and families may select individual grave plots from a limited selection available at that time.

Where the 'Exclusive Rights of Burial' is purchased in reserve, the Council can not guarantee that at the time of the first interment that the depth required is achievable. Although the Council will make every effort to excavate to the required depth, in such circumstances if the depth cannot be achieved an alternative grave will be made available in the area currently in use for new interments.

When the grave plot is full with respect to normal coffin interments, the grave may still be utilised for the interment of Cremated Remains thereafter.

'Exclusive Rights of Burial' for a Cremated Remains plot are for a maximum of two interments only.

'Exclusive Rights of Burial' for a Child's Grave in the Children's Section of the cemetery are for a single interment only.

The Council reserves the right to amend these guidance notes from time to time without prior notice.

SECTION 7

REGULATIONS

EXTRACTS FROM THE LOCAL AUTHORITIES CEMETERIES ORDER 1977.

- ARTICLE 5.-(1)** A Burial Authority may if they think fit :-
- (a) Set apart for the use of a particular denomination or religious body any part of a Cemetery, which has not been consecrated.
- ARTICLE 5.-(6)** A Burial Authority may at the request of a particular denomination or religious body prohibit the interring or scattering of Cremated Human Remains in or over a part of the cemetery set apart for their use.
- ARTICLE 10.-(1)** A Burial Authority may grant, on such terms and subject to such conditions as they think proper :-
- (a) to any person :-
 - (i) the Exclusive Right of Burial in any grave space or grave, or the right to construct a walled grave or vault together with the Exclusive Right of Burial therein;
- ARTICLE 10.-(6)** No body shall be buried, or Cremated Human Remains interred or scattered, in or over any grave or vault in which an Exclusive Right of Burial for the time being subsists except by, or with the consent in writing of, the owner of the "Exclusive Right of Burial".
- ARTICLE 14.** If a Burial Authority remove from a Cemetery any tombstone or other memorial placed therein otherwise than in the exercise of a right granted by, or otherwise with the approval of, the Burial Authority or any predecessor of theirs, the Burial Authority may recover the cost thereby incurred by them :-
- (a) from the person to whose order the tombstone or memorial was placed;
 - (b) within two years from the placing of the tombstone or memorial, from the personal representative of such person,
- ARTICLE 15.-(1)** Subject to the provisions of this article a Burial Authority may charge such fees as they think proper :-
- (a) for or in connection with burials in a Cemetery;
 - (b) for any grant of a right to place and maintain a tombstone or other memorial in a Cemetery;
 - (c) for any grant of a right to put an additional inscription on such a tombstone or other memorial.

ARTICLE 16.-(2) A Burial Authority may,

- (a) remove from a Cemetery and destroy
 - (i) any tombstone or other memorial on a grave of which all material particulars are illegible or which is dilapidated by reason of long neglect;
 - (ii) any kerbs surrounding a grave (whether containing any commemorative inscription or not) together with the foundation slabs of such kerbs;
 - (iii) any tombstone or other memorial, not falling within (i) or (ii) , on a grave, except where the owner of the right to place and maintain it in the Cemetery has, before the date specified in the notice under paragraph 3 of schedule 3 as the date before which the carrying out of the proposals will not be commenced, requested that it shall be re-erected in the Cemetery elsewhere;
 - (iv) any surface fittings not falling within (i), (ii) or (iii), or any flowering or other plants, on a grave; and
 - (v) any railings surrounding a grave, tombstone or other memorial on a grave or a grave space;
- (b) alter the position on a grave of, or re-erect at another place in the Cemetery or elsewhere, any tombstone or other memorial on a grave;
- (c) level the surface of any grave, to the level of the adjoining ground;
- (d) alter the position of any railings surrounding a grave or vault, a tombstone or other memorial or a grave space;

ARTICLE 18.-(1) 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; or
- (e) play any game or sport in a Cemetery.

ARTICLE 18.-(2) No person not being 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 a Cemetery at any hour when it is closed to the public.

ARTICLE 19. Every person who contravenes -

- (a) any prohibition under article 5(6);
- (b) article 10(6);
- (c) article 18;
- (d) Part 1 of Schedule 2

shall be liable on summary conviction to a fine not exceeding £100 and in the case of a continuing offence to a fine not exceeding £10 for each day during which the offence continues after conviction therefore.

SCHEDULE 2 PART 1

- (1) 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 the purpose by the Burial Authority.
- (2) No body shall be buried in a grave in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave: Provided that the Burial Authority may, where they consider the soil to be of suitable character, permit a coffin made of perishable materials to be placed not less than two feet below the level of any ground adjoining the grave.
- (3) No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in the grave on a previous occasion by means of a layer of earth not less six inches thick.
- (4) When any grave is reopened for the purpose of making another burial therein, no person shall disturb any Human Remains interred therein or remove therefrom any soil which is offensive.
- (5) Every walled grave or vault shall be properly constructed of suitable materials.
- (6) Within 24 hours of any burial in a walled grave or vault, the coffin shall be -
 - (a) embedded in concrete, and covered with a layer of concrete not less than six inches thick; or
 - (b) enclosed in a separate cell or compartment of brick, slate, stone flagging or pre-cast concrete slabs of a 1:2:4 mix, in any case not less than two inches 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.

SECTION 8.

SITE INFORMATION AND CONTACT DETAILS

The following Cemeteries and Crematorium are under the control of Solihull Metropolitan Borough Council as at June 2007.

CREMATORIA: -

Robin Hood Streetsbrook Road Shirley, Solihull West Midlands B90 3NL	Tel: 0121 744 1121 Fax: 0121 733 8674 email robinhoodcemetery@solihull.gov.uk
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Woodlands Birmingham Road Coleshill Warwickshire B46 1DP	Tel: 01675 464 835 Fax: 01675 464 351 email: woodlandscemetery@solihull.gov.uk
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CEMETERIES. -

Robin Hood Streetsbrook Road Shirley, Solihull West Midlands B90 3NL	contact as above
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Woodlands Birmingham Road Coleshill Warwickshire B46 1DP	contact as above
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Widney Manor Widney Manor Road Solihull West Midlands B93 3LX	contact Robin Hood Office
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Further information is also available on the Councils' website at www.solihull.gov.uk