Lydiard Millicent Parish Council
Cemetery Regulations

Introduction
The Council welcomes all visitors to their Cemetery

- Visitors are asked to respect the peace, dignity and reverence of these facilities.
- All persons shall conduct themselves in a decent, quiet and orderly manner, especially when burials are taking place.

Although these Regulations are a requirement for the management of the Cemetery, every effort has been made to avoid restricting the rights choices of the individual.
Therefore, these Regulations have been made with a balance between individual rights and the need to regulate for tidy and safe grounds.

- Anyone visiting the Cemetery must follow these Regulations
- These Regulations are under the Provisions of the Local Authorities Cemeteries Order 1977
- Any enquiries or complaints must be made to the Parish Clerk: Tel: 07999641919 or email: clerk@lydiardmillicent-pc.gov.uk

Terms

- "The Council means Lydiard Millicent Parish Council.
- "Cemetery" means the Cemetery which has been provided and belongs to Lydiard Millicent Parish Council, located behind the Parish Hall.
- "burial" within the Cemetery identified above is a coffin within an earthen grave the term will also include (a) and (b) of the order
  (a) the interment of cremated remains
  (b) the interment of the bodies of stillborn children or the cremated remains thereof.

Article 18 (1)
No person shall;

(a) Wilfully create any disturbance in the Cemetery.
(b) Commit any nuisance in the Cemetery
(c) Wilfully interfere with any burial taking place in the 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 game or sport in the Cemetery

Article 19. Penalties
Any person who contravenes article 18.1(above) or Schedule 2, Part 1:
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.

Admission Times and General Information

a. The Cemetery is open to the public every day of the year.
b. The Council reserves the right to close the Cemetery without notice, if considered necessary.
c. No person shall canvas or solicit "orders" in the Cemetery.
d. Interments shall not take place on Saturdays, Sundays, and UK Public Holidays.
e. Interments must take place between the hours of 10.00am and 2.00pm and graveside services must take place 30 minutes prior to the last interment time.
f. The Cemetery is open for Full Interments and Cremated Remains.
g. Provision is made for the maximum of two cremated interments caskets in one cremated remains plot, two deep.
h. Provision is made for the maximum of eight cremated interments in caskets in a full burial plot – as long as the Council is informed at time of plot purchase
i. Provision is made for a maximum of two coffins in a burial plot
j. Provision is made for a maximum of eight cremated remains interments in a full burial plot, after the permitted number of full burial interments has been made. The Council must be informed prior to the first cremated remains interment.

k. The Council will not be held responsible if, due to factors outside its control, the full number of interments cannot be achieved.
l. Cremated remains can be poured into a plot, but it will then be closed to all future interments.
m. The scattering of cremated remains is not allowed.
n. Selection of Grave Plots – The Council will allocate the next available Plot.
o. All grave plots will be dug to the required depth, but cannot be deepened after the first interment.

SCHEDULE 2. Part 1. EXERCISE OF RIGHTS

1. No burial shall take place, no cremated remains be scattered and no memorial shall be placed in the Cemetery and no additional inscription shall be made on any memorial without the permission of the Clerk, appointed for that purpose by Lydiard Millicent Parish Council.
2. No body shall be buried in a grave in such a manner that any part of the coffin is less than 3 feet (91cm) 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 than 6 inches (16cm) thick.
4. When any grave is re-opened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove any soil therefrom which is offensive.
5. Permission must be sought prior to erecting any memorial. It is recommended not to plant, or erect memorials, on graves for twelve months to allow settlement of the ground.

1. RULES AND REGULATIONS APPLYING TO LYDIARD MILLICENT CEMETERY

1.1 These Rules and Regulations apply to the Cemetery, The Butts, Lydiard Millicent SN5 3LR; it is situated to the rear of the Parish Hall.
1.2 Lydiard Millicent Parish Council manage the open Cemetery. The closed Cemetery (adjacent) is the responsibility of Wiltshire Council.
1.3 A Register of Burials shall be kept at the Parish Council office.
1.4 All communications should be directed to the Parish Clerk, who is delegated to act on behalf of the Council.
1.5 New Burial or Cremated remains plots are available for residents only.
1.6 The owner of a grave space shall not set out and plant the grave space, but this prohibition shall not apply where permission was granted prior to the coming into operation of these Regulations.
1.7 The Council reserve the right to cut back or remove any tree, plant or shrub or other form of decoration planted in or placed on the grave space.
1.8 The Council do not permit artificial trees, plants or shrubs, flowers or other forms of decoration to be placed on any grave space. The Council will not accept any liability for any theft or damage of any such items.
1.9 A person moving out of the Parish due to ill health within the past three years will be considered “a resident” for these Regulations. (The deceased’s name must appear on the Electoral Roll within the last three years or proof of residency provided)
1.10 Notice of interment will be accepted by telephone or email, but must be confirmed by submission of a printed Interment Form obtained from the Clerk. If the documents are not received the burial or cremation may be delayed. Responsibility for any error or omission shall rest with the person signing the notice.
1.11 All fees must be paid at time of submitting applications.
1.12 If the Council does not receive a completed Notice of Interment by the required time, the Council may decide to delay or postpone the funeral.
1.13 Account details for the Council are given at the bottom of the Interment forms. Cheques are accepted, but payment via internet banking is preferred.
1.14 The fees shown exclude the charge for grave digging which will be arranged by the Funeral Director separately.
1.15 The Funeral Director is responsible for the safety of the Grave Digger contracted by them, including use of equipment, adequate shuttering and personal protective clothing.

1.16 It is usual for a Funeral Director to liaise with the Clerk on behalf of the deceased and their family.

1.17 Size of Plots

a. Grave plots are to be no larger that 7ft x 3ft 6in (approx. 210cm x 105cm)
b. A cremated remains plot being no larger than 1.5 feet square
c. Depth is dependent on number of caskets to be interred.
d. This Cemetery will only allow two coffins per burial plot.
e. A grave plot can contain cremated remains in addition to coffins.
f. No American Style caskets are permitted

2. Purchase of Exclusive Rights to Burial

2.1 The representative of a deceased resident of the Parish (over the age of 18 years) may, for that deceased resident, purchase one plot per resident household for the interment of that resident.

2.2 The representative of a deceased resident can only purchase the Exclusive Right of Burial at the time it is required and not in advance.

2.3 The owner of the Exclusive Right of Burial shall be entitled to be interred in the plot, even if at the time of death they resided elsewhere, and double fees will apply.

2.4 A Grant for Exclusive Right of Burial in a purchased grave for a period of eighty years will be issued to the purchaser and such person will be registered in the records of the Cemetery as the owner of the Right of Burial in that grave space. The full name and address of the purchaser must be supplied to the Clerk at the time of purchase.

2.5 A purchaser or owner for the time being of the Exclusive Right of Burial in a grave shall not dispose of such right without the consent of the Council, and every transfer of such right shall be prepared by the Council at the expense of the applicant.

2.6 A certificate of Exclusive Right to Burial can be issued to two people.

2.7 Children's graves must be registered in parents'/guardians' names. The Clerk will add two names when a child has two parents/guardians.

2.8 Authority to exercise Exclusive Rights of Burial must be with the consent in writing of the owner and must include their signature.

2.9 In the case of a purchased grave to be re-opened, the Grant of Right of Burial must be produced, or other authority of the owner to open given.

3. Interments / Burials

3.1 Non residents can only be interred, provided there is sufficient space within a plot already occupied by family members. Details of the Grant of Right to Burial will be needed in these circumstances.

3.2 Burial of a spouse/partner of previous parishioners (who have not appeared on the electoral roll within the last three years) is at the Clerks discretion.

3.3 Where it is necessary to remove a headstone or memorial on a purchased grave where such a grave is to be re-opened, arrangements shall be made with a monumental mason who shall remove it from the Cemetery. The Grant of Right Holder will be liable for the expense incurred and will also be responsible for the replacement of the memorial at their own expense.

3.4 Five clear days' notice, exclusive of weekends and bank holidays, is required for an Interment, this will allow for:

a. Identification and marking of the plot by the Council
b. Funeral Directors to source suitable grave diggers
c. The Clerk, or Council representative, to be available at the time of interment.

3.5 In exceptional circumstances 3.4 above can be modified at the discretion of the Clerk. Exceptional circumstances will include, but not limited to:

a. Religious beliefs;
b. Family, usually residing abroad, visiting at the time of demise;
c. Other illness within the immediate family

3.6 The Clerk (or representative) will attend the Cemetery to collect the original Registrar's Certificate (Green Form) and/or the Coroner's Order for burial, if not already received by the Clerk. If a certificate is not provided the burial will not take place. An exception

is in the situation where the certificate has been issued, but forgotten by the Funeral Directors. If this happens, the Funeral Director must sign a declaration in accordance with the Births and Deaths Registration Act 1926 before the funeral can take place. This declaration must explain why the certificate has not been delivered, with a promise to deliver it to the Clerk as soon as possible, preferably on the same day as the burial or, in exceptional circumstances, the next day.

3.7. Certificate of Cremation – Before the Council can authorise the interment of cremated remains of any person, a certificate must be produced.

3.8. Certificate for Stillborn Children - The Registrar's Certificate must be produced in respect for every stillborn child brought for burial. If the birth does not come within the definition of still-born/still-birth, a certificate from the responsible person in attendance at birth, stating that the birth took place before the 24 week of pregnancy.

3.9. All interments must be contained within a suitable casket. It is not permitted to scatter ashes.

4. Memorials - Permission to Erect Memorials

4.1 No memorial shall be erected or placed on a grave until the owner of the grave space has been granted permission to do so. Such permission shall not be granted until the requisite fees and charges have been paid.

4.2 Application for permission to erect or place a memorial on a grave shall be made in writing to the Clerk, accompanied by the requisite fee by the Memorial Mason. Drawings and specifications of all memorials or alterations shall be submitted at the time of application.

4.3 Once the memorial has been erected, the plot owner will be held to be responsible for the future maintenance.

4.4 The Council, as part of its memorial management scheme, will routinely inspect memorials and identify work required on memorials that are in a dangerous or dilapidated state.

4.5 The Council reserves the right, after notice to the Owner, and their failure to take the necessary action, remove any memorial that infringes these Regulations or is deemed unsafe.

4.6 The Council strongly recommends that the plot owner obtains appropriate insurance cover against all risks for the memorial.

4.7 No work must be carried out before the Council has granted permission, and the appropriate fee paid – this includes fixing, re-lettering and cleaning.

4.8 Details of any desired wording must also accompany the application. The Council takes no responsibility for errors or omissions; wording is submitted to confirm appropriateness for this Cemetery.

4.9 No memorial can be erected within 12 months of a full burial taking place, to allow settlement of the ground.

4.10 Monumental Masons will be admitted into the Cemetery during normal working hours. Twenty-four hours' notice must be given to the Clerk before attendance at the Cemetery.

4.11 Only Accredited Masons are able to fix memorials or carry out works on memorials in our Cemeteries, and they must have a BRAMM Business Registration Certificate which indicates that they employ staff with a fixer's licence. This is to ensure the installation of memorials is carried out in a safe manner and to national standards.

4.12 Memorial Masons working in the Cemetery must give a Guarantee of Workmanship of a minimum of 10 years.

4.13 Monumental masons must remove to a place directed by the Clerk, all surplus earth, refuse and materials after fixing a memorial leaving everything in a clean and tidy condition.

5. Permitted Maximum Sizes

5.1 Maximum height of 3 feet (91cm), on a plinth of 3 feet 5 inches by, 1 foot 6 inches (106.68cm x 46cm), total size. Memorials must be made of hard natural stone of a design approved by the Council and must conform with the following dimensions: 91.5cm (36") in height, 60.9cm (24") in width and 5.08cm (2") in thickness in depth and 7.62cm (3") thickness.

5.2 Plot owners must have the Plot number inscribed on the memorial and make sure that the number can be seen.
5.3 The memorial and plot not to exceed 7 feet by 3 feet 6 inches (approx. 210cm x 105cm).
5.4 Plaques only are permitted within the Cremated Remains area; their size being 12 inches square (300mm x 300mm).
5.5 Applications for permission to place photographs on headstones must be made to the Clerk together with a copy of the intended photograph. Two photographs only are allowed on a headstone.
5.6 The sizing of each plaque shall remain universal at 5 inches by 3 inches (12cm x 8cm). Surrounds are not permitted.

6. Materials and on-going placement

6.1 Memorials, any vases and bases associated with them, must be of reasonable material; in keeping with the surroundings. Memorials may not be of wood, metal, concrete or synthetic material and shall not be painted.
6.2 All memorials shall be kept in repair by the owner and if not so kept may be repaired or removed by the Council at its discretion and at the expense of the owner.
6.3 No hewing or dressing of memorials will be permitted within the Cemetery; all materials shall be conveyed in such a manner as will avoid annoyance to persons or damage to the grounds, walkways or surrounding memorials.
6.4 All dead flowers and wreaths, garden refuse and litter must be conveyed to the nearest waste disposal bin.
6.5 Floral tributes, bouquets, loose flowers and artificial flowers not removed, will be removed by a Parish Council representative when they fade, die or are damaged.
6.6 All Christmas decorations will be cleared by 31 January.

7. Extraordinary Considerations

7.1 Lydiard Millicent Parish Council considers all interments in the Cemetery to be extraordinary, each being unique to that family and set of friends.
7.2 The Clerk must be notified as soon as possible if a large number of persons are expected to attend a funeral.
7.3 The arrangement for any ceremonies of a special or unusual nature shall be subject to the prior approval in writing from the Clerk.
7.4 The person making funeral arrangements shall notify the Clerk in all cases where the deceased suffered from an infectious disease or was exposed to radiation.
7.5 If, in the interest of public health, the Clerk so decides and directs, a body shall be taken direct to the grave.
7.6 It shall remain the responsibility of the Funeral Director to ensure adequate provision is made to carry and lower the coffin to the said grave. Should the family decide to carry the coffin the Funeral Director must lower the coffin. The Council shall not accept any liability of injury whilst carrying out that duty.
7.7 The permission of the Clerk must be obtained before photographing a funeral procession or graveside proceedings in the Cemetery. No photographs for commercial purposes may be carried out.
7.8 Any exhumation of (part of) a body, or ashes must first have permission from the Ministry of Justice.
7.9 The provision for up to eight cremated remains interments, may not be possible in plots where cremated remains have already been interred
7.10 A copy of these Regulations will be placed in the Noticeboard located at the entrance to the Cemetery.

Adopted by Lydiard Millicent Parish Council on 5 March 2026 (Minute Ref. 25.201)