Cemeteries
and
Crematorium

Rules of Management
Amended December 2013

Regulations for the management of: -

Acklam Cemetery
Linthorpe Cemetery
North Ormesby Cemetery
St Joseph’s Roman Catholic Cemetery
Thorntree Cemetery
Thorntree Roman Catholic Cemetery
&
Teesside Crematorium

Community Protection Service
Bereavement Services
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GENERAL REGULATIONS APPLYING TO THE CEMETERIES AND THE CREMATORIUM

Access Times

1. All Cemeteries and the Crematorium grounds will be opened to the public at the following times:

   Monday to Saturday at 8.00am
   Sundays and Public Holidays at 10.00am

   The times of closing vary throughout the year from 8 p.m. in the summer to 4 p.m. in the winter and will be shown on notice boards at the Cemeteries and the Crematorium.
   The Crematorium grounds and Acklam Cemetery close at 6 p.m. in the winter to allow access to the Chapel of Remembrance where the Book of Remembrance is located.

2. The Council may temporarily close the whole or part of a Cemetery or the Crematorium grounds as often as, in the opinion of the Council, such closure is desirable.

Conduct in Cemeteries and the Crematorium

3. Everyone shall conduct themselves in a quiet and orderly manner when in a Cemetery or the Crematorium and its grounds and shall comply with any directions given by the Bereavement Services Manager or a member of his or her staff.

4. Children under twelve years of age are not allowed in a cemetery or the Crematorium Grounds unless accompanied by an adult.

5. No person shall in any Cemetery or the Crematorium and its grounds:
   a) Destroy, injure or deface any building, wall or fence.
   b) Destroy, injure or deface any tree, plant or shrub.
   c) Post any bill.
   d) Destroy, injure or deface any memorial or inscription.
e) Play any game or sport or discharge any firearm _except at a military funeral._

f) Operate a radio, record player or tape recorded or similar device.

g) Enter or remain there when it is closed to the public.

h) Interfere with or disrupt Council employees in the course of their duties, or seek to employ Council employees to carry out any private work.

i) Bring any dog into a cemetery or the Crematorium and its grounds unless it is on a lead and kept under proper control. All dog waste must be cleared up and disposed of in the bins where provided or taken home.

j) Drop litter. All waste materials must be disposed of in the bins provided or taken home.

k) Consume any Alcoholic drinks in the cemetery or Crematorium and its grounds.

l) Park vehicles on the grass verges and pavements or block any road or footpath.

**Local Authorities Cemeteries Order 1977 Article 18**

6. 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 at any game or sport in a cemetery.

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.

Any person who contravenes the above 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 therefor.

7. Any person who contravenes these regulations may be required to leave a Cemetery or the Crematorium or its grounds and may be excluded from re-admission for such period as the Council may determine. In the case of funeral directors or stonemasons the exclusion may extend to their employees in connection with any work or duties within a Cemetery or the Crematorium. Any person who is excluded from a cemetery of the crematorium has a right of appeal in writing to the Head of Service.
Fees and charges

8. All fees and charges must be paid in advance at the Cemeteries and Crematorium office, except where special arrangements are made.

Acceptance for Interment or Cremation

9. The body of any deceased person will not be accepted for interment or cremation unless it is enclosed within a coffin of a type and style approved by the Bereavement Services Manager. Details of any special or unusual coffin or casket should be referred to the Cemeteries and Crematorium Office when the arrangements are being made for the interment or cremation.

10. The name of the deceased must be suitably inscribed on the coffin.

11. A coffin or any part thereof, shall not be removed from the Cemetery or the Crematorium after a body has been conveyed there for burial or cremation.

12. The Council has adopted the Federation of Burial and Cremation Authorities “Code of Burial Practice” dated October 2013

Charter for the Bereaved

13. The Council has adopted the Institute of Cemetery and Crematorium Management’s Burial and Cremation Charter for the Bereaved. A summary of the 33 Charter rights is available free of charge from the Cemetery and Crematorium Office. A full copy of the Charter document is available for inspection at the Cemeteries and Crematorium Office and may be purchased from the Institute of Cemetery and Crematorium Management.

REGULATIONS RELATING TO THE CEMETERIES

Cemetery Records

14. Plans of the Cemeteries, showing the various divisions, sections and individual grave spaces, together with the burial registers, are kept at the Cemeteries and Crematorium Office and are available for inspection by appointment at a reasonable time.

15. No interment shall take place in a chapel or in any other part of the Cemetery except in a space marked on the plan.

16. A portion of the Linthorpe Cemetery is the property of the Society of Friends. No fees are payable for the right to erect a headstone in this portion, but the usual fees will apply in all other respects.

Burial Arrangements

16. At least two complete days notice of any proposed interment (excluding Saturdays, Sundays or public holidays) must be given at the Cemeteries and Crematorium Office in writing on the prescribed form unless special arrangements have been made with the Council.
17. No burial will be allowed to take place unless the appropriate Registrar or Coroner's disposal certificate has first been given to the Bereavement Services Manager or an appointed burial authority officer.

18. In respect of burials in a public grave the written consent of the nearest surviving relative of the deceased, or the person legally responsible for the burial, must be submitted with the Notice of Interment.

19. The normal hours of interment are:

- Monday to Friday  9-30 a.m. to 3-30 p.m. at the graveside (3pm in the winter)
- Saturday       9-30 a.m. to 11-00 a.m. at the graveside

Interments may be permitted at other times at the discretion of the Bereavement Services Manager subject to an additional charge as shown in the scale of fees.

20. The time stated in the Notice of Interment is the time at which the funeral cortege should arrive at the Cemetery. An additional fee may be charged in respect of a cortege, which arrives after the appointed time. If a cortege arrives early at the Cemetery it may be required to wait until the appointed time.

21. The person arranging the funeral must supply sufficient bearers to convey the coffin from the hearse to the graveside.

22. Where the exclusive right of burial in a grave space has been purchased no grave will be opened for an interment, or the burial or scattering of cremated remains, without the written consent of the owner of the right. If the owner is deceased the probate of the will must be produced to transfer the right, or if there is no probate, Letters of Administration, or if these do not exist a statutory declaration must be completed.

23. Visitors vehicles may enter Acklam, Thormtree, Thormtree RC and Linthorpe Cemeteries when they are open to the public, but may not enter North Ormesby and St Joseph's Cemeteries except as part of a funeral cortege or when conveying a disabled person. All vehicles shall observe the rules of the Highway Code and shall not exceed 10 miles per hour. Vehicles should park in the designated places and must not obstruct any road. Drivers must comply with any directions given by the Bereavement Services Manager or his or her representative. (Disabled persons should contact the Cemeteries and Crematorium Office if any special arrangements are required for access).

**Selection and Purchase of Grave Spaces, Vaults and Mausolea**

24. The selection of grave spaces is subject to the approval of the Bereavement Services Manager and is limited to the rows in which graves are currently being dug.

25. The Council will sell the exclusive right of burial in a grave in accordance with the scale of fees. No individual will be allowed to purchase more than four grave spaces per year without the approval of the Bereavement Services Manager.
26. No purchaser of the exclusive right of burial in a grave, vault or mausoleum shall convey, assign, or transfer such a right without the written consent of the Bereavement Services Manager.

27. The Bereavement Services Manager may, on request, agree to the Council re-purchasing from the owner the exclusive right of burial in respect of any grave space in which an interment has not taken place, or where all the remains have been removed, and no cremated remains have been scattered thereon. Upon re-purchasing by the Council a Deed of Surrender by the registered owner and the original Deed of Grant should be handed to the Council. The Council will pay the registered owner one half of the current price for that particular class of grave.

28. On burial sections allocated for the exclusive use of particular religious groups the type and style of memorial and the designs thereon will be subject to the requirements of that particular religious group, as determined by the Bereavement Services Manager in consultation with that group.

Works

29. All graves will be dug by a Council employee or Contractor.

30. No more than three adult bodies may be buried in any grave space without the written consent of the Bereavement Service Manager.

Lawn Graves

31. The grave surface will be turfed flat with a cultivated strip approximately 18 inches (45 cm) wide at the head of the grave where a memorial can be erected and the whole grave shall be maintained solely by the Council, subject to paragraph 33a.

32. The turfed area of the grave must not be cut to form a flowerbed or for any other purpose, and nothing shall be placed on the turf. A dwarf conifer or similar plant not exceeding 18" (46 cm) in height may be planted in the rose lane terrace, provided that the plant is maintained in good condition by the owner of the grave plot or his/her representative, and the space occupied by the plant does not exceed the boundaries of the grave plot. Plants that exceed these dimensions will be removed after attempting to give four weeks notice to the grave owner.

33. Small memorials (subject to the restrictions on windchimes, windmills and other ornaments) may be placed around the headstone if there is sufficient space without encroaching onto the turf, adjacent graves or impeding maintenance work.

33a. Pebbles may be placed around the headstone, with the prior written approval of the Bereavement Services Manager, provided that the pebbles are fully within the headspace and contained within a suitable robust hardwood strip not less than one inch (2.5 cm) thick and installed at a level below the surrounding grass. In such circumstances the person holding the exclusive right of burial, or a nominated representative, shall notify the Bereavement Services Manager in writing that they will maintain the headspace in good condition and keep the grass edge trimmed.

34. The Council may remove, without notice, any item, which has been placed on any grave in contravention of these regulations.
Cemetery Memorials

35. Only stonemasons on the Council’s approved list and who are members of BRAMM (The British Register of Accredited Memorial Masons) or NAMM (National Association of Memorial Masons) from the operative date, will be allowed to carry out memorial work in the Council's cemeteries.

36. All memorials and inscriptions are subject to the approval of the Bereavement Services Manager and cannot be erected on a grave without the written permission of the Council and the owner of the exclusive right of burial. The owner of the exclusive right of burial will be the owner of the memorial, and will be responsible for the memorial

The following must be submitted to the Bereavement Services Manager and no work shall be carried out before written approval is issued:

a) An application on the prescribed form signed by the grave owner and the person who is to carry out the work.

b) A drawing of the memorial showing its dimensions and any foundations.

c) A copy of the inscription to be placed on the memorial.

d) If the inscription is in a language other than English, a translation in English verified and signed by a responsible person who understands the other language.

e) The appropriate fee for the right to erect the memorial.

37. When the application is approved a permit will be issued to the person carrying out the work. When work is to be carried out in the Cemetery the memorial mason must make an appointment to carry out such work giving 2 working days clear notice so that any work can be inspected by Bereavement Services manager or his/her nominated staff. The permit must be given to the Bereavement Services Manager’s representative on site before any work is commenced.

38. The Right to Erect and Maintain a memorial will expire when the Right of Burial in the grave expires and can be renewed if the Right of Burial is renewed for such period and fee as may be determined at the time of renewal.

39. Any memorial erected in contravention of these regulations may be removed by the Council and the cost of removal charged to the owner of the memorial.

40. Monumental work will only be allowed during normal working hours.

41. No hewing or dressing of stones is permitted inside the Cemeteries, unless prior permission has been given by the Bereavement Service Manager or a delegated officer.

42. Mats, boards or other suitable protective materials for grass, plants and other memorials must be used at all times whilst monumental work is undertaken. The site of the works must be left in a clean and tidy state and all surplus materials and refuse
must be removed at the end of each working day and immediately upon completion of the works.

43a. No headstone or inscribed vase or any part thereof shall be removed from a Cemetery except with the approval of the Bereavement Services Manager. Any memorial or any part thereof removed in the process of opening a grave or replaced following an interment shall be removed and replaced at the risk of and on the instruction of the person requiring the grave to be opened, and when removed must be removed from the cemetery.

43b. For all non-lawn graves, vegetation including shrubs and conifers must not overgrow the boundary of the grave or exceed 391/2" (100 cm) in height. Plants that exceed these dimensions will be removed after attempting to give four weeks notice to the grave owner.

44. The owner of the exclusive right of burial must keep any memorial erected on a grave in good order, repair and condition.

45. Where a monument falls into disrepair and the owner cannot be traced, or after notice fails to repair the memorial the Council may carry out all necessary repairs and may recover the cost thereof from the owner. The Council may refuse to permit any further interments in such a grave until the cost of carrying out the works has been repaid.

46. The Council may examine and test cemetery memorials for safety and in accordance with BS 8415 or any standard deemed to be suitable at that time. Any memorial, which is found to be loose, insecure or dangerous, will be made safe immediately by laying flat or by some other means. Reasonable steps will be taken by the Council to notify the owner. Subject to financial or other constraints, the Council reserves the right to re-erect headstones, which are deemed to be loose or insecure at its full discretion, or otherwise notify the owner of the defect in accordance with rule 45.

47. The Council has a policy of encouraging memorials of artistic merit, therefore, these Rules of Management may be relaxed in appropriate cases with the written approval of the Head of Service or his/her nominated representative.

48. Persons carrying out memorial work in the Council's cemeteries must adhere to the Code of Working Practice issued by the National Association of Memorial Masons (NAMM) or the British Register of Accredited Memorial Masons (BRAM) and BS8415 (Monuments within burial grounds and memorial sites – specification), issued by the British Standards Institute. Copies of the Code are available on request from the Bereavement Services Manager. Headstones must not be erected unless the person carrying out the work guarantees the stability of the stone for a minimum of 6 years from the date of installation in accordance with the requirements of BS 8415.

Failure to comply with the prescribed Code of Working Practice may after due warning, result in the appropriate person or organisation being prohibited from entering a cemetery or the crematorium in accordance with rule 7.

49. All memorial headstones must be constructed with the good quality natural quarried stone or in the case of wooden crosses of teak or oak or other suitable material approved by the Bereavement Services Manager. Plastic headstones / memorials may be used as temporary memorials for a period not exceeding 2 years from the date
of the first interment and with the prior written approval of the Bereavement Services Manager.

50. No memorial headstone or foundation will be permitted which:
   i) exceeds 6 foot 6 inches (200cm) in height
   ii) exceeds the width of the grave, or
   iii) is less than 3 inches (7.5cm) thick

51. The section and number of the grave must be inscribed at the bottom left hand side of each memorial.

52. The name of the monumental mason may be inscribed at the bottom left hand side of the memorial provided that the lettering is not more than half an inch (15mm) in height.

53. Kerbstones are permitted. Approved stonemasons may erect permanent kerbstones on traditional graves. The maximum size for kerbstones on adult traditional graves shall be 7 feet (210 cm) long by 3 feet (90 cm) wide. The approved sizes for children’s graves is 3’6” length x 2’6” width (107 cm x 76cm).

54. For public graves where the right of burial has not been purchased, the Council may grant to the next of kin, the right to erect and maintain a flat plaque not exceeding 12 inches (30 cm) by 6 inches (15 cm) for a period of 30 years for the appropriate fee as specified in the schedule of fees.

55. Windmills, windchimes and artificial lighting are prohibited on graves in all cemeteries with the following exceptions below:
   (i) In the children’s section of Acklam, Thorntree and Thorntree Roman Catholic Cemeteries, one windchime and one windmill not exceeding 15 inches (38cm) in height above the ground, will be allowed within the boundary of the grave.
   (ii) One candle, positioned inside a lantern or one solar light will be allowed provided that the lantern is less than 15” (38cm) in height above the ground and is located on the grave in a safe and secure position. Candles may only be lit when the grave is attended and must be properly supervised at all times when lit. Lanterns containing glass (excluding the bulb for solar lights) are not permitted unless they have the approval of the Bereavement Services Manager before they are located on the grave. Lanterns must be maintained in good condition and any decorative features must be in keeping with a cemetery environment.
   (iii) One windmill not exceeding 15 inches (38 cm) in height above the ground will be allowed on the grave of a child under the age of 16 years old, in any part of a cemetery, provided that the windmill is so placed as not to impede grounds maintenance work, and with the prior written approval of the Bereavement Services Manager.

56. Soft toys or similar non audible memorials shall be allowed within the boundary of traditional graves provided that the appearance is, in the opinion of the Bereavement Services Manager or his or her representative, in keeping with a cemetery environment and the said memorial does not interfere with grounds maintenance. The Head of
Service or his / her nominated representative will determine appeals against any decision of the Bereavement Services Manager.

57. ‘Scarecrow like’ and ‘ghost like’ items and memorials are prohibited on all graves and in all common areas

58. Small items may be buried under the soil of a grave at the discretion of the Bereavement Services Manager subject to the written permission of the owner of the exclusive right of burial in the grave.

**Temporary edgings round traditional graves.**

59. Temporary edgings round traditional graves shall be allowed subject to compliance with the current guidelines issued by the Bereavement Service Manager. All edgings must be level, secure and not exceed 7 feet (213 cm) long by 3 feet (91 cm) wide on adult sized graves. The approved dimensions for children’s graves is 3’6” x 2’6” (107 cm x 76 cm) Temporary edgings must be constructed of approved materials in keeping with the cemetery environment. Plastic and wire edgings are not permitted. A guidance leaflet on temporary edgings is available from the Cemeteries and crematorium Office.

**Wooden Crosses**

60. All wooden crosses shall comply with the Council's approved design and specification, details of which may be obtained from the Cemeteries and Crematorium Office.

61. If at any time a wooden cross is replaced by a headstone, erected in accordance with these regulations, the price differential will be charged

**Temporary vases**

62. Temporary vases may be placed on purchased graves without the approval of the Bereavement Services Manager subject to the following conditions: -

a) On lawn graves the vase must be placed at the head of the grave on or beside the headstone so as not to impede grass cutting.

b) The vase together with any base or stand must not exceed 12 inches (30 cm) in any dimension.

c) The vase must not be made of glass or pottery as this could break and cause injury.

d) The vase must not bear any inscription

e) The vase is placed on the grave at the owner's risk and the Council will not be liable in the event of its loss or damage however caused.

63. Any temporary vase not complying with the above conditions may be treated as any other memorial for the purposes of these regulations and require formal approval.

64. The grave number may be marked on the base of any vase so that if it is displaced it can be replaced on the correct grave.
65. Vases that do not meet these conditions may be removed without notice at the discretion of the Bereavement Services manager

**Lawn Grave Memorials**

66. The base for any headstone memorial on a lawn grave must not exceed 12 inches (30cm) from front to back and must be fixed either: -

   a) onto the concrete strip supplied by the Council or

   b) Where no strip is provided, on a properly prepared york stone flag or a precast reinforced concrete slab of similar colour, not exceeding 36 inches (91cm) by 15 inches (38 cm) and not less than 2 inches (5 cm) thick, the upper surface of which must be level with the surrounding ground.

   Provided that, where two headstones are to be fixed on adjacent graves owned by the same person, the headstone base may be up to 84 inches (213 cm) wide fixed centrally across the two grave spaces as long as the base does not obstruct the erection of other headstones and grass cutting activities.

   The headstone base may be up to 24 inches (61 cm) wide, from back to front, when one or two headstones are to be fixed on opposite graves in the central rose lane, but only when the two grave spaces are owned by the same person.

   For the foundation slab materials other than yorkstone or concrete may be accepted if it can be shown that they have adequate strength.

67. All headstone memorials in Lawn Cemeteries must: -

   a) Not exceed 42 inches (107 cm) in height or width, and all headstones must be between 3 inches (7.5 cm) and 5 inches (12.5 cm) in thickness.

68. Where the only memorial on a lawn grave is permanent vase, bearing an inscription, it must be made from natural quarried stone or other suitable and approved material and not exceed 10 inches (25 cm), by 12 inches (30 cm), by 10 inches (25 cm) and be fixed to a base.

**Renewal of Exclusive Rights of Burial**

69. When the period of exclusive right of burial in a grave has expired the Bereavement Services manager will take the following action: -

   a) Write a letter to the owner of the exclusive right of burial, or if the owner is deceased the next of kin, at the last known address informing him or her of the pending expiry of the exclusive right of burial and inviting him or her to renew it for such period and such fee as may be determined at the time.

   b) If no reply is received from the owner or next of kin within two weeks, a notice will be placed on the cemetery notice board for a period of three months quoting all the relevant details as set out in the letter and an advert be placed in a local
evening newspaper for one day in two successive weeks giving the details as set out in the letter.

c) If no contact is received from the owner or the next of kin within a period of three months from the date of expiry of the exclusive right of burials, the Bereavement Services Manager will arrange for the removal and storage of any memorial on the grave for a period of six months after which it would be disposed of.
REGULATIONS RELATING TO THE TEESIDE CREMATORIUM

Cremation arrangements

70. The Council is a member of the Federation of British Cremation Authorities and adheres to the Code of Cremation Practice issued by the Federation. Copies of this Code can be obtained from the Cemeteries and Crematorium Office.

71. Cremation Services will take place on Mondays to Fridays and on Saturday mornings at such times that are determined by the Head of Service.

72. Notice of Cremation on the form prescribed by the Council together with the statutory prescribed medical forms and certificates must be delivered to the Cemeteries and Crematorium Office no later than 11.00am on the last working day preceding the date of cremation. Failure to fulfil these requirements may result in the cremation being postponed.

73. Sufficient bearers must be provided to convey the coffin from the hearse to the catafalque.

74. If due notice is given to the Bereavement Services Manager two representatives of the deceased may witness the placing of the coffin into the cremation chamber. No inspection of the actual cremation process is allowed.

Coffins

75. The construction and contents of any coffin for cremation must comply with the specification set out in the leaflet “Instructions for funeral directors” to comply with legal requirements including provisions in The Pollution, Prevention & Control regulations 2000 Environmental Protection Act 1990.

Cremated remains are not permitted to be placed within a coffin that is to be cremated.

A copy of the leaflet is available on request.

76. The standard maximum external dimensions of a coffin for cremation are 28 inches (81 cms) wide, 22 inches (66 cms) deep and 84 inches (213 cms) long,

Any coffin exceeding these sizes must be notified to the Bereavement Services Manager and may not be accepted for cremation

Including fittings and adornments, the maximum size of coffin, allowable for services are as follows:
St Hilda’s: 40” wide including handles, 26” deep, and 86” long (101 cm x 66 cm x 218 cm)
St Bede’s: 32” wide including handles, 26” deep, and 86” long (81 cm x 55 cm x 218 cm)

77. All cremations will be carried out separately. An exception will only be permitted in appropriate cases which have been approved in writing by the Bereavement Services Manager or his / her representative, for example a mother and baby, baby twins and foetal remains.
Disposal of Cremated Remains

78. Instructions for the disposal of cremated remains must be given in writing to the Bereavement Services Manager within 1 month after the date of cremation. If no instructions have been received after this period, a fortnights notice will be given in writing to the person who applied for the cremation, before the cremated remains are scattered in the Garden of Remembrance. Cremated remains may be stored at the Crematorium on payment of the appropriate monthly fee.

79. No cremated remains may be collected from the Crematorium without the written authority of the person who applied for the cremation.

80. Metal residues found in the cremated remains may be removed for recycling in accordance with a scheme approved by the Institute of Cemetery and Crematorium Management unless the applicant for the cremation requests beforehand, in writing, that they be returned. An explanatory leaflet is available on request.

Garden of Remembrance

81. The Garden of Remembrance is a communal area and memorial facilities are available for purchase if required. Personal items and belongings shall not be placed in the Garden of Remembrance as these may be removed without notice.

82. Cremated remains may only be scattered in the Garden of Remembrance with the written approval of the Bereavement Services Manager. Cremated remains scattered without authority will not be recorded in the Council's registers and risk being disturbed through grounds maintenance or other works.

Miscellaneous

83. These Rules of Management may be revised. A current copy is available for inspection at the Cemeteries and Crematorium Office and will be provided at no cost upon request.

Any person may request that a Cemetery or Crematorium Rule be reviewed. In the first instance any concerns with supporting evidence should be notified to the Bereavement Services Manager in writing. Within 15 working days of receiving a request for review, a decision will be made and notified in writing, giving reasons for the decision.

Any person who is dissatisfied with the decision of the Bereavement Services Manager, or nominated representative, has a final right of appeal to the Head of Service. Any appeal should be made in writing with supporting evidence and the Head of Service, or nominated officer will determine the appeal and respond in writing within 15 working days of receiving an appeal giving reasons for the decision.