

# **Great Malvern Cemetery**

Madresfield Road  
Malvern  
WR14 2AS

## **Rules and Regulations**



## Contents

INTRODUCTION .....	1
MANAGEMENT OF THE CEMETERY .....	2
INTERMENTS .....	3
EXCLUSIVE RIGHT OF BURIAL.....	5
HEADSTONES AND OTHER MEMORIALS.....	6
MAINTENANCE AND UPKEEP .....	10
TRAFFIC CONTROL .....	11
FEES AND CHARGES .....	11
GENERAL.....	12

## **CEMETERY RULES AND REGULATIONS**

### **INTRODUCTION**

Great Malvern Cemetery is a working cemetery with a long and interesting history, dating from the early 1860's. At over fifteen acres, and with many specimen trees, it is a beautifully maintained area that we hope you agree provides a peaceful final resting place for your loved ones.

The following rules and regulations apply to Great Malvern Cemetery, Madresfield Road, Malvern, WR14 2AS, and any other cemetery which may be established by, or come under, the control of Malvern Town Council (hereafter known as 'the Council') after the adoption of these regulations.

All local authority managed cemeteries are subject to standards and conditions known as cemetery rules and regulations. These are designed to inform all cemetery users of the aspects of the management of the cemeteries and the reasonable requirements applicable to them.

Whilst rules and regulations are a necessary requirement for the management of the cemetery, every effort has been made to avoid restricting the rights and choices of the individual. Therefore, these rules and regulations have been prepared with a balance between individual rights/information and the need to regulate for clean, safe and tidy cemetery grounds.

These regulations include the statutory requirements contained within The Local Government Act 1972, the Local Authorities' Cemeteries Order 1977 (LACO) and the Health and Safety at Work Act together with any other relevant legislation that governs this service.

The cemeteries are managed in accordance with the Local Authorities' Cemeteries Order 1977 under which burial authorities are responsible for maintaining statutory burial registers and grave plans, establishing rules and regulations relating to the management of the cemeteries and the memorials permitted with them and setting fees for burials and memorials.

All contractors wishing to work within the Town Council cemetery must provide annually, evidence of Public Liability and Employer's Insurance cover to indemnify the Town Council against any claims arising from any acts or omissions.

No memorial shall be altered or interfered with after it has been erected in the cemetery according to the design submitted to and approved by the Town Council. Nor shall any work of any kind or description be undertaken or carried on within the cemetery without the consent of the Town Council first being obtained.

***The Council is empowered to alter or amend the foregoing rules and regulations at any time and to introduce further regulations as it considers necessary.***

## **MANAGEMENT OF THE CEMETERY**

1. The cemetery will be open to the public during the following times:

**Cemetery** - open daily during the following hours:

1 April to 30 September	8.00 am to 6.00 pm
1 October to 31 March	8.00 am to 4.00 pm

**Cemetery Office** - excluding Good Friday, Christmas Day and Public Holidays:

Monday to Friday	8.30 am to 3.00 pm
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2. Any unauthorised entry when the cemetery is closed to the public contravenes the Local Authorities' Cemeteries Order 1977, Section 18(2).
3. All persons entering the cemetery will be subject to these rules and regulations and any other orders and controls applicable, and as updated from time to time.
4. All persons shall conduct themselves in a decent, quiet and orderly manner and are reminded of the provisions of the Local Authorities' Cemeteries Order 1977, Section 18(1) below:  
No person shall:
  - a) wilfully create any disturbance in a cemetery;
  - b) commit any nuisance in a cemetery;
  - c) wilfully interfere with any burial taking place in a cemetery;
  - d) wilfully interfere with any grave or vault, any tombstone or other memorial or any flowers or plants on any such matter; or
  - e) play at any game or sport in a cemetery.
5. Visitors to the cemetery shall not unreasonably interrupt the Council's employees at their duties or employ them to execute private work within the cemetery or extend to them any gratuity. No employee of the Council is to demand or receive any gratuity.
6. All enquiries, compliments, requests and complaints from or by members of the public must be made either to the Operations Manager or Supervisor at the Cemetery Lodge in the cemetery or at the offices of Malvern Town Council, 28 – 30 Belle Vue Terrace, Malvern.
7. No animals shall be permitted to enter the cemetery other than dogs on a short lead. Only assistance dogs may enter the cemetery office or cemetery chapel.
8. No person shall operate any sound reproducing equipment or play any musical instrument in the cemetery or chapel without the prior consent of the Council.
9. No person shall sell or offer or expose for sale any article, commodity or thing of any kind whatsoever or solicit orders for the same, within the cemetery.
10. Any person using a motor vehicle in the cemetery shall only do so on a carriageway suited to the purpose, except with the consent of the Council.
11. All visitors to the cemetery must keep to the footpaths or roads provided for that purpose, except whilst visiting a grave or vault, and should refrain from touching trees, shrubs, plants or flowers.

12. No person shall deposit, throw or otherwise deposit and leave in the cemetery any wastepaper or refuse of any kind, except in the litter bins provided for the purpose.
13. Smoking and vaping are prohibited in the chapel or near any place where an interment is taking place.
14. The operation of the Council's cemetery and any interments therein, will be carried out strictly in accordance with the provisions of The Local Authorities' Cemeteries Order 1977 and such other Regulations as may be made by the Secretary of State for the Home Office, from time to time.
15. No interment shall take place, and no headstone or memorial shall be placed in the cemetery, nor shall any additional inscription be made on a headstone or memorial, without the prior consent of the Council.
16. Scattering of ashes is not permitted anywhere in the cemetery.

### **INTERMENTS**

An interment means burial in the ground, deposit of an urn or casket containing cremated remains into the ground or burial in the ground of cremated remains in the garden of remembrance.

17. Interments are permitted at the following times only:

Monday to Thursday (earliest booking 9.30am, latest booking as shown)	<b>March &amp; April</b>	<b>May, June, July, August</b>	<b>September, October, November</b>	<b>December, January, February</b>
<b>Burial, straight to grave</b>	2.30 pm	3.00 pm	2.30 pm	1.30 pm
<b>Burial, with chapel</b>	2.00 pm	2.30 pm	2.00 pm	1.00 pm
<b>Garden of Remembrance or Cremated Remains Plot, straight to grave</b>	3.00 pm	3.30 pm	3.00 pm	2.00 pm
<b>Garden of Remembrance or Cremated Remains Plot, with chapel</b>	2.30 pm	3.00 pm	2.30 pm	1.30 pm
Friday (earliest booking 9.30am, latest booking as shown)	<b>March &amp; April</b>	<b>May, June, July, August</b>	<b>September, October, November</b>	<b>December, January, February</b>
<b>Burial, straight to grave</b>	1.30 pm	1.30 pm	1.30 pm	12.30 pm
<b>Burial, with chapel</b>	1.00 pm	1.00 pm	1.00 pm	12.00 pm
<b>Garden of Remembrance or Cremated Remains Plot, straight to grave</b>	2.00 pm	2.00 pm	2.00 pm	1.00 pm
<b>Garden of Remembrance or Cremated Remains Plot, with chapel</b>	1.30 pm	1:30 pm	1.30 pm	12.30 pm

18. The time appointed for an interment will be that at which the funeral cortège is to arrive at the entrance gate of the cemetery where the interment is to take place. The Funeral Director or person in charge of the funeral, arriving after the appointed time, must act under the direction of the Council as to when the funeral service may proceed.
19. Prior telephone booking is required for every interment, which must be confirmed in writing using the prescribed form – ‘Notice of interment’. The form and correct payment must be received at the offices of Malvern Town Council at least five clear working days prior to the interment taking place.
20. The Council will accept no responsibility whatsoever for verbal arrangements, where such arrangements have not been so confirmed.
21. The notice of interment must contain full details of the deceased; the proposed interment; the grave to be used, and, in the case of new lawn or cremated remains graves, the signature of the owner of the Exclusive Right of Burial confirming that they have read and agreed to abide by the relevant regulations regarding headstones, memorials and the maintenance and upkeep of the grave.
22. Where the owner of the Exclusive Right of Burial is deceased and no application has previously been made to transfer ownership, the Council must be satisfied that correct ownership is established before accepting a booking.
23. The Council will not accept responsibility for the consequences arising from the loss or delay of any such notice of interment, order or other document sent by post, nor for the accuracy of the details contained in the notice of interment.
24. In cases of emergency, certified by acceptable medical authority, Regulations 19 - 23 may be waived in the interest of public health.
25. The person or persons arranging the interment shall be responsible for the attendance of a Minister of Religion or Celebrant, to officiate at the burial service, and for the payment of any fee to which they are is entitled.
26. For booking purposes, it is assumed that services in the cemetery chapel will take approximately half an hour unless notified otherwise. Services for more than an hour must be approved by the Council at the time of booking and an additional fee paid.
27. Any form of service may be used, but details of the ceremony are subject to the approval of the Council. Alternatively, the coffin may be committed without a service.
28. A certificate for burial issued by the Registrar of Births and Deaths or a Coroner’s Order for Burial, or a duplicate copy thereof, must be delivered to the Council, or its designated officer, when the funeral cortège arrives at the Cemetery.
29. Any person procuring an interment without the production of such certificate or order will be required to make a written declaration on the prescribed form in accordance with Section 1(1) of the Births and Deaths Registration Act 1926.
30. In the case of interment of cremated remains, a certificate of cremation for burial purposes, issued by the Cremation Authority will be required.
31. Foetal remains cannot be interred in Great Malvern Cemetery, but a memorial plaque may be placed in the delegated area of the Garden of Remembrance.

32. Every body brought into the cemetery for interment shall be contained in a suitable coffin, of perishable material, and shall be interred in that coffin. No coffin shall be accepted unless it bears adequate particulars of the identity of the deceased person or persons therein.
33. Cremated remains may be interred in a perishable casket/container or poured into the grave. They may also be placed in or on a coffin, at the same time as a body is interred, but will be subject to the usual fee for the interment of cremated remains, and the relevant paperwork must be produced.
34. The responsibility for providing sufficient bearers to carry the coffin reverently from the hearse into the chapel, or to the grave, whether mourners are present or not, rests with the Funeral Director.
35. All graves will be prepared by persons employed by the Council.
36. No body shall be buried in a grave in such a manner that any part of the coffin is less than 3'0" below the level of any ground adjoining the grave, provided that the Council may, where they consider the soil to be of a suitable character, permit a coffin to be placed not less than 2'0" below the level of any ground adjoining the grave.
37. 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" in depth.
38. When any grave is re-opened for the purpose of making another burial no person shall disturb any human remains already interred or remove therefrom any soil.
39. After interment, no body or cremated remains may be removed from a grave without the production of the Ecclesiastical Faculty and/or Licence for Exhumation required by law. The original documents will be required for this purpose.
40. In the case of the re-opening of a private grave where written consent of the owner of the burial rights, the Deed of Grant of Exclusive Right of Burial or other reasonable evidence of ownership cannot be produced, the Council will require to be indemnified against any action arising as a result of permitting the interment.
41. If it is deemed necessary in the interest of public health a coffin shall be taken direct to the grave and not to the cemetery chapel.

#### **EXCLUSIVE RIGHT OF BURIAL**

Exclusive Right of Burial means the Exclusive Right, granted by Deed, of the registered owner to determine who may be interred in or commemorated on the grave in question; such Exclusive Right to be for a period of 75 years. The purchase of a grave space is for the Exclusive Right of Burial and not for the purchase of land. The land remains the property of the Council at all times.

42. Grave spaces are only available, for the purchase of Exclusive Right of Burial, at the cemetery and in accordance with these rules and regulations, and the scale of fees and charges applicable to such purchase at that time.
43. All such private graves will be initially excavated to the standard depth decided by the Council, for that particular section of the cemetery, and the interment fee will be charged accordingly.

44. New lawn and cremated remains graves will normally be allocated in strict rotation within each section. A grave other than in rotation may be subject to the discretion of the Council. Plans showing the grave spaces are kept at the cemetery office, where they may be seen during normal office hours, upon application from the cemetery staff. Records dating before 1950 are kept by the Worcestershire Archive and Archaeology Service in Worcester.
45. The Council cannot be held responsible if, due to factors outside its control, the full number of interments in a grave cannot be achieved.
46. A grant of Exclusive Right of Burial is for a period of 75 years and confers no other right than that of burial. It does not include the purchase of land which remains the property of the Council at all times. An Exclusive Right of Burial can be placed in the name / names of no more than two individuals.
47. No pre-purchasing of graves is allowed at the cemetery.
48. Any transfer of ownership of Exclusive Right of Burial will be subject to the production of satisfactory evidence of title and the approval of the Council. Such transfer must be registered in the records of the cemetery and the Deed of Grant of Exclusive Right of Burial must be produced for endorsement at the cemetery office and the appropriate transfer fee paid.
49. No new vault will be permitted to be constructed in the cemetery.

#### **HEADSTONES AND OTHER MEMORIALS**

50. A headstone or memorial may only be erected on a grave space within the cemetery in accordance with these regulations and upon payment of the appropriate fee. The right to erect a headstone or memorial will be for the un-expired portion of the Grant of Exclusive Right of Burial.
51. Permission to erect, reinstate and add further inscriptions to a headstone or memorial can only take place with the grave owner's permission or with the agreement of proven representatives.
52. **The erection of a headstone or memorial on a public grave will be subject to the discretion of the Council and in accordance with these regulations and upon payment of the appropriate fee.** Where permission is granted to erect a headstone upon a public grave, it will be subject to the right of the representatives of other persons interred in the grave to have those persons commemorated thereon. As there is no right to erect a headstone or memorial on a public grave, such headstone or memorial does not in itself confer any rights and remains at the pleasure of the Council.
53. Application for approval to place a new headstone or memorial in the cemetery, alter or add to any inscription or replace, add to or remove from the cemetery any headstone or memorial must be submitted to the Council.
54. Such notice must be submitted at least two weeks in advance of the proposed date of erection and must include:
  - a) The grave number and name of the deceased;
  - b) In the case of a new headstone or memorial a drawing of the headstone/memorial and its specification including the type, colour and finish (i.e.



polished, honed etc) of the material to be used and showing all dimensions including those of the foundation slab;

- c) Any text to be cut upon the headstone/memorial or any text to be altered or added to any existing headstone/memorial and the method of lettering;
  - d) The name, address and signature of the person placing the order for the headstone work to be undertaken who should be the owner of the Exclusive Right of Burial. If such owner is deceased the applicant must state their relationship to the deceased owner. If the owner is alive but is not making the application, the applicant must provide a letter signed by the owner confirming and authorising such an application;
  - e) The name, address and telephone number of the headstone mason.
55. The approval of the Council for any such application will be confirmed by the issue of a headstone permit, valid for a period of three months. No work should be undertaken until the permit has been issued. Any such permit is issued on the understanding that the work undertaken will fully comply with the details of the application form and the requirements of these rules and regulations. Any work that does not so comply will not be permitted to remain in the cemetery.
56. No permit is required for cleaning only, up-righting and re-levelling, repair of existing lettering, or painting of existing inscriptions unless the headstone/memorial is to be removed from the cemetery.
57. It is advised that headstones and memorials on lawn graves are not erected within three months of the date of burial to allow settlement of the ground.
58. Headstones and memorials for cremated remains graves may be erected on the day of the interment of cremated remains or at any point thereafter.
59. All new headstones and memorials shall comply with the National Association of Memorial Masons (NAMM) *Memorial Specification Guide* to be read in conjunction with NAMM *Recommended Code of Working Practice*. Memorial masons must be registered with NAMM and The British Register of Accredited Memorial Masons (BRAMM).
60. The maximum dimensions (imperial or metric equivalent) of headstones and memorials shall be as stated. Diagrams are for reference only.

**Headstones on Lawn Cemetery (plots 10, 11, 11A, 12, L13, L14, 15, 16, 17, 18)**

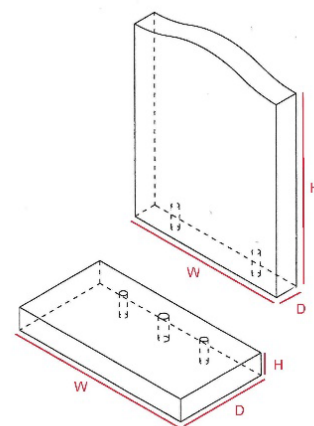
Headstone

H 2'9" x W 2'6" x D 4"

Base

H 3" x W 3' x D 1'3"

Provided that the overall height of the memorial, from ground level shall be no more than 3' and no less than 2' 9". The bottom of the headstone where it meets the base shall be as thick as the thickest part of the headstone.



## Children's Graves Plots 1, 1CPRC, RB, 8ACP

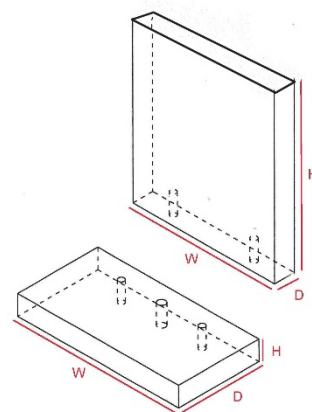
### Headstone

H 1'6" x W 1'3" x D 2"

### Base

H 2" x W 1'6" x D 9"

Provided that the overall height of the memorial, from ground level shall be no more than 1' 8". The bottom of the headstone where it meets the base shall be as thick as the thickest part of the headstone.



## Cremated Remains Plots

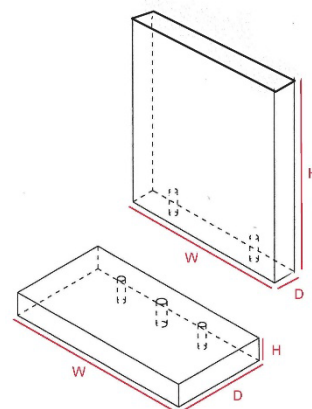
### Headstone

H 1'9" x W 2' x D 4"

### Base

H 3" x W 2' x D 1'3"

Provided that the overall height of the memorial, from ground level shall be no more than 2'. The bottom of the headstone where it meets the base shall be as thick as the thickest part of the headstone.



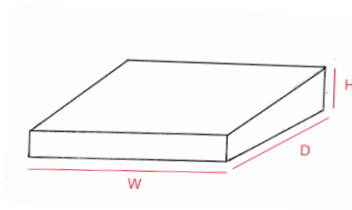
The cremated remains memorial shall consist of no more than two pieces of stone, unless a 'book' design is requested.

### Tablet

H (front) 3"

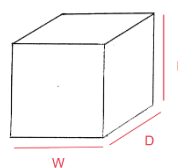
H (rear) 8"

W 2' x D 2'



### Vase

H 12" x W 12" x D 12"



The vase may include a flower holder and the front face of such vase may be inscribed with introductory words such as "In Loving Memory".

## Garden of Remembrance

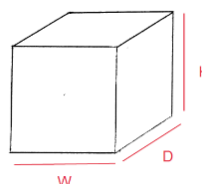
### Bronze plaque

W 6" x H 4"



### Freestanding stone vase

H 6" x W 6" x D 6"



61. Each headstone or memorial shall be set on a foundation slab of natural or pre-cast stone or concrete suitably reinforced, in one piece, of the same dimensions as the base of the headstone or memorial and not less than 3" thick in the case of a headstone, or 2" thick in the case of a memorial and situated so that the top surface of the foundation or sub-base is flush with the adjoining ground level.
62. All joints must be properly cemented and cramped, joggled or dowelled. There must be at least two dowels for each dowelled joint.
63. Headstones shall be constructed from a single piece of stone, although they may be inlaid with natural stone, lead or bronze as part of the design or inscription. Such inlay shall not reduce the thickness of the main body of the headstone to less than 2" (or 1" in the case of children's graves). The inlaid material must not be raised above the surface of the headstone proper by more than ½" and must be contained within the overall dimensions of the headstone.
64. The base of any headstone or memorial shall be constructed of up to two pieces of stone, which may be drilled to accommodate up to two flower containers.
65. A headstone must be fixed so that its rear face is set 2" from the rear face of the base, or 2½" if the height of the headstone is greater than 2' 6".
66. A headstone or memorial must be cut from the best quarried natural stone and must be durable and sound. All memorials must be in keeping with existing memorials, in terms of shape and size, within the surrounding area. No headstone or memorial should be painted. Memorials of wooden crosses are permitted in the cemetery.
67. Oval ceramic photographic plaques, not exceeding 4" in height and 3½" in width (or the metric equivalent) may be affixed to the front of headstones and memorials only.
68. A headstone or memorial shall be inscribed with its grave number, on the rear face. Trade names may be incised, or incised and inlaid to match the main inscription, in figures not more than ½" high, on either side or rear faces.
69. Only the surname of the deceased shall be permitted on the rear face of the headstone or memorial, in figures not exceeding 1" in height.
70. No hewing or dressing of stone, other than the cutting of an inscription or cleaning of the stone will be permitted in the cemetery.
71. All materials and equipment shall be conveyed in the cemetery in such a manner as to prevent damage to walks, paths, roads, or turfed areas and all soil or waste materials shall be removed in a like manner.
72. Mats, boards or canvas shall be used as directed by the Council to achieve this end.
73. All workmen employed on behalf of the owner of the Exclusive Right of Burial or the personal representative of such person, to erect any headstone or memorial or to perform work on an existing vault, headstone or memorial shall carry out their work strictly under the direction of the Council and shall:
  - a) At the cost of the owner fill up and level the ground, remove all waste and unwanted material and make good any damage or injury whatsoever occasioned in the process of the work;
  - b) Perform the work during the normal opening hours of the cemetery office (at all other times access is forbidden);

- c) Provide their own tools and equipment and complete the work with due despatch.
74. The Council must be informed of the removal of any headstone or memorial from the cemetery.
75. The removal and re-erection of a headstone or memorial to facilitate the re-opening of a private grave or vault or to level such grave or vault shall be at the expense of the grave owner or the personal representative of such person.
76. Any person removing a headstone or memorial to permit a further interment shall either remove the same from the cemetery, after informing the Council, or place it in the position indicated by the Council.
77. Any headstone or memorial removed from a grave to facilitate an interment shall be replaced as soon as possible after the first anniversary of the last interment, if not before.
78. Any unauthorised headstone or memorial shall be removed at the expense of the grave owner, or the personal representative of such person.
79. Any headstone or memorial erected in the cemetery remains there at the sole risk of, and must be kept in a good state of repair by, the owner of the Exclusive Right of Burial or the personal representative of such person. The Council reserves the right to remove any headstone or memorial, which has become dangerous or unsightly.
80. The Council reserves the right to exclude or remove from the cemetery any headstone or memorial not executed in a workmanlike manner or from sound materials, or which would in the opinion of the Council disfigure the cemetery or offend public decency.

#### **MAINTENANCE AND UPKEEP**

81. After an interment has taken place in a grave and time has elapsed for settlement of the ground, the Council, in accordance with the Local Authorities' Cemeteries Order 1977, shall cause the surface of the grave to be levelled and grassed except for any area covered by a memorial.
82. This timescale shall be a maximum of four years and at 42 months the Council may approach Exclusive Right of Burial owners to prepare for this transition.
83. The surface of every lawn grave when settled shall be at ground level, except for an approved memorial permitted in accordance with the cemetery rules and regulations (see previous section).
84. It is the responsibility of the owner of the Exclusive Right of Burial to keep the grave space free from weeds and in a tidy condition. In the event that the grave space is not being kept in a reasonable state of repair the Council reserves the right to level and grass the area.
85. Small bedding plants, subject to the approval and direction of the Council, may be planted in the 18 inches directly in front of the memorial.
86. The Council reserves the right to prune, cut down, or dig up and remove any shrubs, trees, plants and flowers, at any time when the same are unsuitable or have become unsightly or overgrown.

87. The placing on graves of wire mesh, fences, kerbing and any items detrimental to health and safety regulations shall be prohibited. This will be at the discretion of the Council Officer responsible for the cemetery.
88. A maximum of four solar lights shall be permitted on a grave.
89. All items must be placed within the boundary of the grave and must not exceed a height of 18 inches.
90. The Council reserves the right to remove from any grave, flowers, plants, wreaths or other items which have become unsightly or are in a state of disrepair.
91. After a period of four years, the placing of grave adornments shall be restricted to the 18 inches in front of the memorial and at 42 months the Council may approach Exclusive Right of Burial owners in order to prepare for this transition.
92. Christmas wreaths will be removed by the Council after a period of six weeks in each New Year.
93. Any surplus soil removed from a grave is to be deposited in such part of the cemetery as directed by the Council.
94. Should the owner of the Exclusive Right of Burial of any grave desire that the upkeep, maintenance, turfing or planting be undertaken for payment by any firm or contractor other than the Council, a permit authorising such work must first be obtained by such firm or contractor from the Council.

#### **TRAFFIC CONTROL**

95. Admission of vehicles is subject to the following conditions:
  - a) Access is available only during the following hours, including Saturdays, Sundays, Good Friday, Christmas Day and Public Holidays:

1 April to 30 September	8.00 am to 6.00 pm
1 October to 31 March	8.00 am to 4.00 pm
  - b) Access is subject to absolute right of way being given to any funeral cortège in the Cemetery;
  - c) No vehicle is to be left in a position so as to cause any obstruction to other traffic;
  - d) A speed of 5mph is not to be exceeded;
  - e) Vehicles must enter only by the Madresfield Road entrance and leave only by the Madresfield Road entrance, unless otherwise directed;
  - f) No liability is accepted by the Council for loss of or damage to a vehicle or its contents, or injury to its driver or passengers howsoever arising;
  - g) All requirements of the Council shall be complied with;
  - h) Permission for admission of vehicles may be withdrawn at any time.

#### **FEES AND CHARGES**

96. The fees and charges prescribed for the use of the cemetery shall be those specified in the scale of fees and charges, as amended from time to time, and available on the Town Council's website.

97. Fees and charges applicable to the cemetery shall be doubled if the deceased was not a resident of Malvern Parish at some point during the five years preceding the date of their death. The exception to this is where the deceased is the grave owner and was resident of the Malvern Parish area at the time the grave was purchased.
98. All fees and charges are payable in advance to the Council, except in the case of funeral directors and stonemasons, dealing continuously with the Council, when payment is rendered monthly.

#### **GENERAL**

99. All persons (not being employees of the Council) engaged at work in the cemetery shall comply with all directions and requirements of the Council.
100. Burial or memorial services may be held in the cemetery chapel subject to the consent of the Council and payment of the appropriate fee.
101. A register of all burials and graves from 1950 is kept at the cemetery office. Records pre-1950 are kept by the Worcestershire Archive and Archaeology Service in Worcester, where searches can be made and certified extracts obtained upon payment of the prescribed fee.
102. The type or types of memorial available at any time, in the cemetery, shall be determined by the Council's delegated officer who reserves the right to refuse any application or inscription which they consider unsuitable.
103. The Council is empowered to alter or amend the foregoing rules and regulations at any time and to introduce further regulations as it considers necessary.
104. All persons entering the cemetery do so at their own risk and the Council will not accept any liability for injuries or damage sustained howsoever caused.
105. Any of the foregoing rules and regulations may be waived by the Council in exceptional circumstances and the Council shall be empowered to impose temporary restrictions on any matters not specifically covered by these rules and regulations.

## **GLOSSARY**

In these rules and regulations, unless the context otherwise requires, the following words and expressions shall have these meanings assigned to them:

**Additional inscription:** means each inscription, inscribed after the first inscription, to ONE other deceased person whether that person be interred in the grave or not (see also “inscription”).

**Burial:**

- a) of a body in a grave
- b) of cremated remains (ashes), by distribution beneath a layer of turf in the Garden of Remembrance (no scattering directly onto the soil)
- c) of cremated remains (ashes), placed in a container in a hole in the ground, inside a coffin or on top of a coffin (either a grave or cremated remains plot)

**Casket:** a box-like container for cremated remains, must be of perishable materials

**Cemetery:** means any place provided by the Council for the interment of human remains and any reference to ‘the cemetery’ shall refer to any or all of the cemeteries to which these regulations apply

**Chapel:** means the consecrated and un-consecrated buildings, situated within the boundaries of the cemetery, used for the purposes of burial or memorial services

**Child’s grave:** a grave for children up to the age of 5 years

**Council:** means Malvern Town Council, also known as “The Council”

**Cremated remains:** ashes that remain after a dead body has been cremated

**Cremated remains plot:** a grave exclusively for the interment of cremated remains

**Diocese:** district under the jurisdiction of a bishop

**Eco-coffin:** coffin made with concern for the ecology and environment, e.g. from cardboard, willow, bamboo

**Exclusive Right of Burial:** means the Exclusive Right, granted by Deed, of the registered owner to determine who may be interred in or commemorated on the grave in question; such Exclusive Right to be for a period of 75 years. The purchase of a grave space is for the Exclusive Right of Burial and not for the purchase of land. The land remains the property of the Council at all times

**Exhumation:** digging up after burial of a corpse or cremated remains.

**Faculty:** a permit issued by the Church of England to allow the introduction of memorials, permit exhumations from consecrated ground in cemeteries or churchyards and carry out other developments in a church and churchyard or on consecrated sections of a cemetery

**Foetal remains:** a human foetus of less than 24 weeks gestation that has at no time since delivery shown any visible sign of life.

**Grave:** means a burial place formed in the ground by excavation and without any internal wall of brickwork, stonework or any other lining

**Grave owner:** the person named as the owner of the Exclusive Right of Burial

**Grave space:** means that area allowed by the Council for the establishment of a grave

**Headstone:** an upright slab carrying an inscription, and often ornamentation, set at the head of a burial grave

**Inscription:** means a reference on a memorial to ONE deceased person, whether that person be interred in the grave or not. (See also “additional inscription”)

**Interment:** burial in the ground, deposit of an urn or casket containing cremated remains into the ground or burial in the ground of cremated remains in the garden of remembrance

**Lawn graves:** cemetery area comprising rows of headstones with mown grass in between, intended to simplify ground maintenance. Graves are laid in an avenue of level grass on Plots 10, 11, 11A, LT11, L12, L13, L14, 15, 16, 17, 18. Memorial objects are strictly limited.

**Memorial:** generic term for any small stone, vase, tablet or other object placed on a grave space, whether inscribed or not, which is not more than 36” high, from ground level

**Garden of Remembrance** (for cremated remains): memorial garden where cremated remains are deposited by interment

**Public grave:** see unpurchased grave

**Tablet:** as plaque but larger

**Traditional grave:** means a grave on 1, 1CPRC, 2, 3, 4, 4A, 4CP, 5, 6S, 6N, 6W, 7, 8, 8A and 8ACP

**Unpurchased grave:** previously called “common” or “pauper” grave, where no Right of Burial is granted, may be used for the burial of unrelated people and no right to place a memorial is given. The Council is the holder of the Rights.

**Urn:** container for cremated remains or a decorative feature on a monument.

**Vase:** container for cremated remains plots and graves no larger than H 12” x W 12” x D 12”





**Map of Great Malvern Cemetery**



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